

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30441 of 2019

Arising Out of PS. Case No.-1199 Year-2018 Thana- SAHARSA District- Saharsa

1. PARMANAND KUMAR Son of Vishwanath Mahta, Resident of Village - Sahuria, P.S.- Salkhuwa, Distt.- Saharsa.
2. Azad Kumar Gupta Son of Siyaram Sah, Resident of Village - Purani Bazar, Ward No.2, P.S.- Bakhtiyarpur, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Adv.

For the Opposite Party/s : Mr. M.K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-05-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Sadar Saharsa P.S. Case No. 1199 of 2018 registered for offence punishable under sections 341, 323, 384, 354, 379, 504, 506/34 of the Indian Penal Code.

From the record it appears that the informant has purchased a tractor from petitioner no. 1 and he has paid the substantial amount, only small amount left to be paid. When the informant awoke in the morning, he found his tractor was traceless, later on, it transpired that the petitioners and others have taken away the said tractor. When the informant requested for return of the same then demand was made and allegation of assault has been attributed



against these petitioners.

The learned counsel for the petitioners submits that it is basically a dispute relates to tractor and the payment of amount and with a view of settle the score, this case has been lodged.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Sadar Saharsa P.S. Case No. 1199 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Shivaji Pandey, J)

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