

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47855 of 2019

Arising Out of PS. Case No.-14 Year-2019 Thana- PURUSHOTTAMPUR District- West
Champaran

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1. Vishwanath Yadav @ Bishwanth Yadav, Son of Late Khublal Yadav
Resident of Village - Bhabhata, P.S.- Sathi, Distt - West Champaran.
 2. Gauri Yadav, Son of Shivrindan Yadav Resident of Village - Bhadabhadwa,
P.S.- Purushottampur, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 01-08-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Purushottampur P.S. Case No.14 of 2019 for the offence
punishable under Section 386/34 of the Indian Penal Code.

The allegation against the petitioners, as mentioned in
the FIR is that the informant had purchased two buffalo from
Madan Yadav for a total consideration amount of Rs.1,17,000/-
and while informant was going, petitioners intercepted the
informant and snatched forcibly the buffalo from him and asked
Jagdeo Sah to return the amount of the accused persons first.

Mr. Bimlesh Kumar Pandey, learned counsel



appearing for the petitioners, submits that petitioners have falsely been implicated in this case by Mohan Yadav and another person inasmuch as Mohan Yadav is engaged in the business of sale purchase of buffaloes along with Jagdeo Sah. He further submits that in course of business, Jagdeo Sah and informant had taken the advance of Rs.65,000/- and Rs.60,000/- from petitioner No.1 and 2 and in lieu thereof, he did not give buffalo to the petitioner No.1 and 2. He further submits that during the investigation, the witnesses, i.e., Madan Yadav, from whom the informant had allegedly purchased the buffaloes, told that he did not sell any buffalo to the informant.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that there appears to be some dispute pertaining to sell and purchase of the buffalo between informant and petitioner and further petitioners have got no criminal antecedent, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court



below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Mr. Manoj Kumar, Judicial Magistrate Ist Class, Bettiah, West Champaran, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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