

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12811 of 2019

Arising Out of PS. Case No.-462 Year-2016 Thana- SAHARSA SADAR District- Saharsa

1. Manu Yadav @ Mainu Yadav And Anr Son Of Bino Yadav Resident Of Village- Sirdehi Patti Baharhi, P.S.- And District- Saharsa.
2. Dular Chandra Yadav Son of Baiju Yadav @ Baiju Resident of Village- Sirdehi Patti Baharhi, P.S. and District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 22-09-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 406, 420, 467, 468, 471, 323, 506 of the

Indian Penal Code.

The prosecution case as per F.I.R is that the

informant being owner of a tractor used to cultivate his

own land as well as run the said tractor on hire for

cultivation of the land of other farmers. It is alleged that

on 05.07.2013, petitioner No. 1 who happens to be the



brother-in-law of the informant came at his door and took away all the documents of the tractor as well as the tractor by making an assurance that he would pay Rs. 10,000/- per month to the informant but after passing the requisite period, the petitioners failed to make payment of the agreed amount and refused to hand over the tractor in question to the informant.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in the present case. The petitioner No. 1 is own brother-in-law of the informant and he was the guarantor at the time of purchase of the tractor. The petitioner No. 1 has also provided financial assistance to the informant and gave Rs. 1,00,000/- for purchase of the tractor and when the petitioner No. 1 demanded his money back, the petitioners have falsely been implicated in this case.

In pursuance to the order dated 01.07.2019, the matter was referred to the Mediation & Conciliation



Centre of Patna High Court. The report of the Mediator is at Flag-M which suggests that the matter could not be resolved through the process of mediation.

In the facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.

The prayer for grant of anticipatory bail to the petitioners stands rejected.

(Sunil Kumar Panwar, J)

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