

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60364 of 2023

Arising Out of PS. Case No.-383 Year-2023 Thana- AURANGABAD TOWN District-
Aurangabad

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1. Arvind Kumar Son of Dharakshan Yadav, Resident of Village - Chandouli, P.S. - Aurangabad (Muffasil), District - Aurangabad.
 2. Dharakshan Yadav Son of Late Basudev Yadav, Resident of Village - Chandouli, P.S. - Aurangabad (Muffasil), District – Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Diwakar Bhargav S/O Devendra Kumar Pandey R/O Village- Ratanua, P.S- Aurangabad (Muffasil), Distt.- Aurangabad. At present Village- Badiha, P.S- Indrapuri, Distt.- Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 05-03-2024 Heard Mr. Binod Kumar Pandey, the learned

counsel for the petitioners and Mr. Nagendra Prasad, the learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in

connection with Aurangabad (Town) PS Case No. 383 of 2023,

FIR dated 02.06.2023, registered for the offences punishable

under Sections 420, 467, 468, 504 and 506 of the Indian Penal

Code.

3. According to prosecution case, the co-accused

persons sold a land to the informant on which they have already



taken loan from PNB Bank.

4. Learned counsel for petitioners submits that the petitioners have falsely been implicated in the present case. In fact, the petitioner no. 2 had purchased the land in question from accused no. 4 namely, Dinesh Kumar Singh and he is alleged to have taken loan from the bank on the land in question and the petitioner had no knowledge about that and he has sold the land in question to the informant in the year 2018 and when the informant had applied for loan, he came to know that the co-accused persons had already taken loan from the bank on the land in question.

5. Pursuant to the direction of this Hon'ble Court dated 19.12.2023, the matter was referred to the Patna High Court Mediation Centre for settling the dispute between the parties, but the report of the learned mediator dated 02.02.2024 reveals that the dispute between the parties could not be resolved. Learned counsel for the petitioners submits that in fact, the co-accused Dinesh Kumar Singh had taken a loan and petitioners had no knowledge of the same. Learned counsel for the informant had produced the sale-deed, which was executed by co-accused Dinesh Kumar Singh in favour of the petitioner no. 2 and he has sold the land in question to the informant.



6. Learned counsel for the informant submits that the petitioners are aware of the fact that the co-accused had taken a loan amount for the land in question and despite of that, they have sold the land in question to the informant.

7. Considering the aforesaid facts, I am **not** inclined to grant the privilege of anticipatory bail to the petitioners in connection with Aurangabad (Town) PS Case No. 383 of 2023, pending in the Court of learned Chief Judicial Magistrate, Aurangabad.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

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