

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83362 of 2023

Arising Out of PS. Case No.-2661 Year-2013 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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1. Munna Kumar Singh Son Of Sri Devendra Prasad Singh Resident Of Village- Bishnupur, Hariyabhir, Police Station- Korha, District- Katihar.
 2. Vishnu Kumar Singh Son Of Sri Devendra Prasad Singh Resident Of Village- Bishnupur, Hariyabhir, Police Station- Korha, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ainul Haque Son Of Abdul Haque Resident Of Devi Nagar, Police Station- K. Nagar, Sri Nagar District- Purnea. At Present Proprietor M/S Amin Tractors, Shivpuri, Katihar, Police Station- Mufassil, Katihar, District- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan Prasad No. 1, Advocate
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 23-02-2024 Heard learned counsel for the petitioners and learned counsel for the State.

2. Petitioners apprehend arrest in connection with Complaint Case No. 2661 of 2013 registered for the offences under Sections 420, 406/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the prayer for bail of the petitioners was earlier rejected twice by this Court vide orders dated 15.12.2017 and 01.08.2018 in Cr. Misc. No. 41957 of 2017 and Cr. Misc. No. 41171 of 2018. He further submits that the petitioners could not pay the outstanding



amount as the tractor on which the agreement was made, met with an accident and that the petitioners have not committed any fraud. He further submits that the petitioners are innocent and have falsely been implicated in the instant case.

4. Learned Additional Public Prosecutor appearing for the State opposes the prayer of bail and submits that the prayer for bail of the petitioners was earlier rejected twice by this Court and no fresh ground has been urged on behalf of the petitioners for reconsideration of the prayer for bail. He, therefore, submits that petitioners does not deserve to be enlarged on anticipatory bail.

5. Considering the nature of allegation levelled against the petitioners and the submissions advanced on behalf of the parties, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. Their prayer for bail is accordingly rejected.

(Arvind Srivastava, J)

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