

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41864 of 2025

Arising Out of PS. Case No.-312 Year-2024 Thana- MITHANPURA District- Muzaffarpur

1. Prema Devi Wife of Late Hari Prasad @ Late Hari Prasad Agrawal Resident of Mohalla - New Colony Balughat Road , Ahiyapur , PS - Muzaffarpur Town District Muzaffarpur
2. Anil Kumar Agrawal @ Kumar Agrawal Son of Late Hari Prasad @ Late Hari Prasad Agrawal Resident of Mohalla - New Colony Balughat Road , Ahiyapur , PS Town District Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The UCO BANK CLUD ROAD, THANA- Mithanppura, Distt.- Muz UCO BANK CLUD ROAD Mithanpura, P.S Muzaffarpur, Bihar, India

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra
For the Opposite Party/s : Mr.Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 10-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in Mithanpura P.S. Case No. 312 of 2024 registered under Sections-318(4), 316(2), 336(3), 338 of Bhartiya Nyay Sanhita, 2023.

3. Allegedly, the son of the petitioner No. 1 has taken a loan of Rs. 10,000,00/- and Rs. 1,50,000/- for business purpose and in lieu thereof, he mortgaged one katha of land standing in the name of petitioner No. 1. It is further alleged that



neither the interest nor the principal amount was paid to the bank and moreover, the petitioners, without information to the bank, sold the said land to another person.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and they have falsely been implicated in this case. The loan was got sanctioned by co-accused Suraj Agrawal and not by the petitioners. The petitioners had taken cash credit loan from the Bank for business purpose. The petitioners are the persons of clean antecedent.

5. On the other hand, the learned counsel for the Bank opposed the prayer for anticipatory bail by submitting that the loan was sanctioned and the land, in question, was mortgaged. The petitioners were guarantors against the loan, sanctioned to co-accused Suraj Agrawal. The mortgaged land, standing in the name of the petitioner No. 1, was sold to another person without information to the bank.

6. Considering the aforesaid facts and circumstances, the petitioners are not entitled for privilege of anticipatory bail and accordingly, the same is *rejected*.

(Nawneet Kumar Pandey, J)

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