

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51112 of 2016

Arising Out of PS.Case No. -249 Year- 2016 Thana -JOKIHAT District- ARRARIA

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Jaiswal @ Kumar Binod Jaiswal son of Late Asharfi Lal Bhagat, resident of R. K. Mishtra Road, Mahboob Tola, Purnea, P.O. +P.S. Purnea, district-Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Sanjay Kumar Singh

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-12-2016 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 120B, 420, 467, 468 and 504/34 of the Indian Penal Code.

Prosecution case is that complainant was sanctioned Rs.5 lacs as loan under Prime Minister Rojgar Yojna. When he went to bank to take the loan, Rs.50,000/- was taken as bribe and further Rs.50,000/- was also demanded.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. No allegation of tampering of witnesses is alleged against petitioner. He has been made accused due to mistake of fact. Allegation made in the F.I.R. is denied.

On behalf of the State, it is submitted that petitioner is the Branch Manager of the bank. Informant was sanctioned a loan of Rs. 5 lacs. Against the said loan amount, Rs.50,000/- was taken as bribe. Further, Rs.50,000/- was demanded from informant.

Considering the aforesaid facts and circumstances, I am



not inclined to grant anticipatory bail to the petitioner, same is rejected.

Any how, if petitioner surrenders in the court below, i.e., Sub-Divisional Judicial Magistrate, Araria, in connection with Jokihat P. S. Case no. 249 of 2016, G.R. No. 633 of 2016, within a period of six weeks and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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