

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48360 of 2016

Arising Out of PS.Case No. -33 Year- 2016 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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1. Brajesh Kumar Yadav Son of Rajendra Prasad Yadav Resident of
Village- Pachbhirwa, P.O.+P.S.- Sugauli, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ramavatar Choudhary, Branch Manager, SBI, Agriculture Development
Branch Ramgarhwa District- East Champaran. Mobihe- 99771404451.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Ahmad Ali APP

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

5 18-01-2017 Heard the learned counsel for the petitioner, the

learned A.P.P. for the State as also the learned counsel for the

Informant.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Ramgarhwa P.S. Case
No. 33 of 2016 for the offence punishable under section 406 of the
I.P.C.

On the basis of the written complaint filed by the
Branch Manager, State Bank of India, Agriculture Development
Branch, Ramgarhwa this case has been lodged with the allegation
that due to similarity of name in the account number of the



petitioner brother of Baj Kishore Yadav deposited Rs. 1,41,000/- and the petitioner withdrew the amount of Rs. 1,39,000/- on different dates and purchased motorcycle and mobile set but the said amount was of Baj Kishore Yadav. Earlier the petitioner admitted to return the entire amount but thereafter started evading the matter and then the case has been lodged.

Submission is of false implication and that the petitioner has withdrawn his own amount, without any material the Branch Manager has lodged this case and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that after making due enquiry the case has been lodged and during investigation also the allegation has been found true.

In the facts and circumstances as stated above, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the above mentioned case pending in the court of S.D.J.M. Raxaul at Motihari.

(Jitendra Mohan Sharma, J)

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