

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26055 of 2018

Arising Out of .Case No. -1541 Year- 2015 -PATNA COMPLAINT CASE District- PATNA

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1. Subhash Rai, Son of Sri Lal Bihari Rai, Resident of Village- Hasanpura,
P.S.- Beur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Vimal Kumar, Son of Shri Janki Sao, Resident of Village- Pario, P.O.-
Makhmilpur, P.S.- Paliganj, District- Patna, at present residing at Paliganj,
P.S. and P.O.- Paliganj, District- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 04-05-2018

Heard both sides.

The petitioner apprehends his arrest in Complaint
case No. 1541 (C) of 2015 for the offences punishable under
Section 323, 420, 120B of the Indian Penal Code.

The learned counsel for the petitioner submits that
petitioner is ready to return the entire amount in three installments
but it appears from perusal of the order sheet that petitioner was
granted anticipatory bail on his undertaking to return the entire
amount in three installments on 18.01.2017 in A.B.P. No. 5860 of
2016 but the petitioner did not surrender in the court within the
stipulated time. The petitioner again filed petition for extension of



the period of surrender and the period was extended for two weeks vide order dated 18.12.2017 passed in ABP No. 5860 of 2016 even then the petitioner did not surrender in the court. Thereafter, the petitioner again filed petition for extension of time but the same was rejected vide order dated 15.03.2018.

Considering the fact that petitioner was granted anticipatory bail on 18.01.2017 but the petitioner did not surrender in the court below even after extension of period of surrender, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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