

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5789 of 2019

Arising Out of PS. Case No.-43 Year-2018 Thana- ARER District- Madhubani

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Rakesh Kumar @ Rakesh Yadav S/o Late Bhogi Yadav R/o of Village -
Parkauli (Bhaduli), P.S.-Arer,District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Uttam Chaudhary S/o Subhash Chandra Chaudhary Branch Manager, Uttar Bihar Gramin Bank Dhokjari, Madhbani, R/o Vill- and Po- Kharhana, P.S.- Barahat, District- Banka, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Baidya Nath Thakur
For the Opposite Party/s	:	Mr.Narendra Kumar Singh
		Mr. Prabhakar Jha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-03-2019 The petitioner apprehends his arrest in connection with Arer P.S.Case No. 43 of 2018 registered under Section 353 of the Indian penal Code.

Allegation against the petitioner is of locking the main gate of the Uttar Bihar Gramin Bank, Dhakjari causing much inconvenience in discharge of official duty and after much persuasion lock was opened.

Submission of learned counsel for the petitioner is that petitioner has falsely been implicated in this case, he has no account in the Bank as also there is no C.C.Tv. Footage to show that petitioner has locked the door of the Bank.

Heard learned APP as well as learned counsel appering on



behalf of the Bank. They have opposed the prayer for anticipatory bail to the petitioner stating that FIR itself shows that petitioner has locked the door of the Bank and after much persuasion, it was opened.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to him rather he should surrender within a period of six weeks from the date of receipt of a copy of this order and make prayer for regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order, if possible, on the same day.

(Vinod Kumar Sinha, J)

sujit/-

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