

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79988 of 2018

Arising Out of PS. Case No.-192 Year-2016 Thana- DARBHANGA SADAR District-
Darbhanga

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Rakesh Yadav son of Rajgir Yadav, resident of village Kabirchak, P.S. Sadar,
District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 10-01-2019 Heard both sides.

The petitioner apprehends his arrest in Darbhanga Sadar P.S. Case No.192 of 2016 registered under Sections 147, 148, 149, 341, 342, 353, 427, 504 and 506 of the Indian Penal Code.

The gist of the allegation is that the petitioner and others broke the gate of police station and created obstruction in public work and also abused the police personnel.

Learned counsel for the petitioner submits that similarly situated other accused persons have been granted anticipatory bail.

It appears from perusal of record that the petitioner was granted anticipatory bail vide order passed in A.B.P. No.16



of 2017 but the petitioner did not surrender before the lower court within stipulated period. The petitioner again filed petition for extension of time for his surrender in Cr. Misc.No.26 of 2017 which was allowed and period of surrender of the petitioner was extended but the petitioner did not surrender. Petitioner further filed Cr. Misc. No.83 of 2017 for extension of time of his surrender but the same was rejected. Since the petitioner has already not availed his opportunity and did not surrender even after extension of period of surrender, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders before the court below, the learned court below shall consider the prayer of regular bail of the petitioner on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J)

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