

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59537 of 2019

Arising Out of PS. Case No.-5 Year-2013 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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RAJENDRA YADAV Son of Late Vasudeo Rai Resident of Village-
Chhechhani, P.S.-Bithan, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the Director, Directorate of Enforcement,
Govt.of India, New Delhi. New Delhi.
3. The Assistant Director, Directorate of Enforcement, Govt. of India Ist Floor,
Chandpura Palace, Bank Road, West Gandhi Maidan, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Y.V.Giri , Senior Advocate Mr. Sarbottam Kumar Sarkar, Advocate
For the O.P. No.2	:	Mr. S.D.Sanjay, Additional S.G.
For the O.P.No.3	:	Mr. Rajesh Kumar Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 23-06-2020 Heard Mr. Y.V.Giri, learned senior counsel assisted

by Mr. Sarbottam Kumar Sarkar, learned counsel appearing on
behalf of the petitioner, Mr. S.D.Sanjay, learned Additional
Solicitor General assisted by Mr. Rajesh Kumar Verma, learned
counsel appearing for the Opposite Parties.

Learned counsel for the petitioner submits that Ashok
Yadav is the main accused who has been granted regular bail in
this case. Another co-accused Most. Ahilya Devi @ Ahilya Devi
has been granted anticipatory bail. In all the three cases the
petitioner has been acquitted. Counsel further submits that



prayer of the petitioner may be considered in the light of scheme of Section 45 of the Act as the amount involved is less than one corer. The court may also consider the fact that the petitioner is a senior citizen, aged about 70 years and sick person.

Considering the nature of allegation and the materials available on the record, the Court is of the view that it is not a fit case for grant of anticipatory bail. The prayer for anticipatory bail is rejected.

In the event the petitioner surrenders and prays for regular bail, the court below shall consider and dispose of his regular bail application on the same day. While considering the regular bail application, the court below shall take into account the fact that co-accused Ashok Yadav has been granted regular bail and also the fact that petitioner is 70 years old.

(Anil Kumar Upadhyay, J)

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