

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64805 of 2019

Arising Out of PS. Case No.-196 Year-2018 Thana- NOKHA District- Rohtas

SHREE SITA RAM MEENA @ SITA RAM MINA Son of Shree ram Lal Meena Resident of Village - Sengarpura, P.O.- Lulodge, P.S.- Sapotara, Distt - Karauli , State - Rajasthan at present working as a clerk in the Madhya Bihar Gramin Bank Nokha, P.S.- Nokha, Distt - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mahendra Thakur, Advocate Mr. Sanjay Kumar, Advocate
For the Opposite Party/s :		Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 11-08-2021 Heard Mr. Mahendra Thakur, learned Advocate for the petitioner and Mr. Anand Kishore Choudhary, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Nokha P.S. Case No. 196 of 2018 dated 17.07.2018 instituted for the offences under Sections 409 and 420 of the Indian Penal Code.

His prayer for anticipatory bail was earlier rejected by this Court *vide* order dated 14.12.2018 passed in Cr. Misc. No. 59697 of 2018. The petitioner has come up again for the reason that now the complainant does not wish to prosecute the petitioner and that the petitioner is ready to deposit the amount in question under protest and subject to his rights and



contentions later.

Regard being had to the fact that earlier the prayer for anticipatory bail of the petitioner was rejected, I am not inclined to give a re-look to such order.

Accordingly, the prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, the fact that the complainant does not wish to prosecute him any further and that he is ready to deposit the amount in question under protest subject to his rights and contentions later, shall be taken into account and an order shall be passed without being prejudiced by the fact that the present petition on his behalf has not been entertained.

The petition stands disposed off with the aforenoted observations.

(Ashutosh Kumar, J)

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