

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37387 of 2015

Arising Out of PS.Case No. -747 Year- 2014 Thana -KOTWALI District- PATNA

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1. Sanjay Kumar Jha son of Vibhuti Bhushan Jha, Resident of: 408-B,
Jyotipuram Apartment, Police Station- Shastri Nagar, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Praveen Kumar S/o Sri Tara Nand Sinha, Resident of Akriti House,
Chema Co-operative, A.G. Colony, P.s.- Shastri Nagar, District Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mrigank Mauli, Advocate Mr. Sanket, Advocate Mr. Prince Kr. Mishra, Advocate
For the informant	:	Mr. Pramod Kumar, Advocate
For the State	:	Mr. Jitendra Kumar Roy-I(APP)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**
ORAL ORDER

6 30-11-2015 Heard the learned counsel for the petitioner, the

learned counsel for the informant and the learned Additional

Public Prosecutor.

The petitioner apprehends his arrest in a case under

Section 406, 420, 120B/211 of the Indian Penal Code.

The informant filed a complaint case No. 26295 of

2014 on the basis of which the present FIR was lodged on

08.12.2014. The informant made allegation against the petitioner

that petitioner assured him for grant of cash credit limit of Rs. 80

lacs from a different bank other than IDBI Bank and on such

assurance the informant gave two cheques each of Rs. 20 lacs as

security. It is further alleged that the petitioner was a Manager of IDBI Bank but he was dismissed from service on account of defalcation of money and petitioner misused the cheques of the informant and get the same bounced.

It is submitted that the true facts is that the informant earlier took loan from the petitioner and in lieu thereof handed over two cheques worth Rs. 20 lacs each. The petitioner gave notice much prior to the filing of the case on 24.06.2013. The petitioner filed complaint case 12.08.2013 thereafter the informant filed the complaint case.

The learned counsel for the informant, however, opposed the prayer for anticipatory bail and submitted that petitioner cheated the informant but it appears that complaint case of the petitioner is much prior in point of time and the same was filed on 12.08.2013 for bouncing of cheques and after one and half year the informant filed the complaint case that the petitioner cheated him.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on

bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in Kotwali P.S. Case No. 747 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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