

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41186 of 2014

Arising Out of PS.Case No. -1447 Year- 2011 Thana -BHOJPUR COMPLAINT CASE District-
BHOJPUR

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1. Kamlesh Narayan son of Shri Ramashray Singh, Ex. Chairman, Bihar State Rural Co - Operative Housing Federation Limited, Patna At present Address : resident of Mohalla - Rajiv Nagar, Road No. 9, Post Office - Rajiv Nagar, Police Station Rajiv Nagar, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Lakshuman Singh son of Sri Tirthnath Singh resident of village - Chhotki Sasaram, P.O. Gajrajganj, Police Station - Udwantnagar, District - Bhojpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Ganesh Prasad Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

5 23-07-2015 Heard the Counsel for the petitioner and the APP, for the State.

Petitioner is facing accusations punishable under Section 406 IPC and Section 138 of the N.I. Act on the basis of a complaint lodged by Lakshuman Singh.

Allegation is that on some pretext, a sum of Rs. 1,55,000/- was obtained from the complainant which was dishonestly retained and in spite of request was not returned. Ultimately, cheques were issued which was/were dishonoured.

Learned APP has pointed out relevant facts manifesting from the impugned order in order to oppose the prayer for bail.

On going through the pleadings made in the application and after perusal of the order passed by the learned Sessions Judge, this Court does not think the present one a fit case where privilege of anticipatory bail can be granted. Prayer is, accordingly, rejected.

Petitioner may surrender and seek bail in the Court below. In that case, the Court below shall consider the same on its own merit uninfluenced by the present order.

(Kishore Kumar Mandal, J)

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