

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36914 of 2014

Arising Out of PS.Case No. -1310 Year- 2011 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Mohammad Nasim, Son of Salim R/- village- Prabhat Nagar (Near Mosque), Bhagwanpur, P.S.- Sadar, District- Muzaffarpur, at present resides at Narayani Fuels Petrol Pump, village- Sadatpur, NH- 28, P/S and District- Muzaffarpur.

.... Petitioner/s

Versus

1. State of Bihar
2. Sajal Kumar, Son of Badri Singh, r/o-Mohalla- Akharaghat, Sheikhpur, P.S.- Ahiyapur, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate.

For the Opposite Party/s : Mr. Upendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 09-04-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioner is facing prosecution for offence under Section 138 of the Negotiable Instruments Act and Section 406 of the Indian Penal Code, this Court would find the petitioner to be not entitled for privilege of anticipatory bail because the petitioner does not want to even pay the amount inasmuch as this Court is not inclined to believe the only defence of the petitioner that he has taken Rs. 80,000/- from the informant but he has issued a cheque of Rs. 11 lakhs.

Be that as it may, the prayer for anticipatory bail of the petitioner is hereby rejected and if the petitioner would surrender

and makes prayer for regular bail, the same shall be considered on its own merit without being prejudiced anything made in this order.

(Mihir Kumar Jha, J)

Sujit/-

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