

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48784 of 2014

Arising Out of PS.Case No. -563 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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Kailash Rai Son of Late Balchand Rai Resident of Village - CHak Bhatthi,
P.S. - Kudharni, District - Muzaffarpur, at present residing in the house of
Sri Ras Bihari Singh, Bank Road, Lodipur, Patna, P.S. - Budha Colony,
District - Patna, at present working as s Gardener in Shri Krishna Singh
Science Centre, Gandhi Maidan, Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ram Shankar Singh Son of Parikshan Singh Resident of Mohalla -
Mainpura (LCT Ghat) Near Mahanth High School, P.S. - Patliputra,
District - Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 23-04-2015 Heard learned counsel for the petitioner as well as

learned counsel for the State.

In this application for anticipatory bail the petitioner
apprehends his arrest for the offences punishable under section
420 of the I.P.C and section 138 of the Negotiable Instrument Act.

Allegedly, the complainant advanced friendly loan
amounting to Rs. 4,76,000/- to the petitioner and the petitioner had
issued cheque accordingly but that cheque was bounced.

Submission is of false implication and that without
any paper how the complainant gave such heavy amount to the

petitioner. One Ranjeet Pandey has taken the cheque from the petitioner and he handed over the same to the complainant. The petitioner happens to be the peon and is not aware of the transaction and as such he has given various cheques to the said Ranjeet Pandey at the time of taking loan for purchasing T.V.S. motorcycle. The petitioner has produced various cheques for cancellation and requested for blocking the payment and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the complainant opposes prayer for pre-arrest bail of the petitioner.

Considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on anticipatory bail and accordingly his such prayer stands rejected in connection with Complaint Case No. 563 C of 2013 pending in the court of Smt. Rumpa Kumari, J.M. 1st Class, Patna.

(Jitendra Mohan Sharma, J)

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