

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37823 of 2016

Arising out of Complaint Case Case No. -785-C Year- 2013 Thana -KHAGARIA COMPALINT
CASE District- KHAGARIA

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Ajay Kumar Madhukar, son of Baleshwar Prasad Sahani, resident of village
Chukati, P.S. Mansi, Distt. Khagaria.

.... Petitioner

Versus

1. The State of Bihar
2. Rambilash Prasad, son of Dwarika Prasad, resident of village Chakki
Panapur, P.S. Meenapur, Distt. Muzaffarpur, at present R.B. Prasad,
New Agency, Paltan Bazar, near Nepali Mandir at old Bus Stand,
Gauhati Assam.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bishweshwar Ram, Advocate.

For the State : Smt. Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-12-2016 Heard both sides.

The petitioner filed this petition for cancellation of
anticipatory bail granted to the opposite party No. 2 Rambilash
Prasad vide order dated 26.6.2015 passed by this Court in Cr.
Misc. No. 14638 of 2015.

The complainant/petitioner alleged that the opposite
party No. 2 had taken a sum of Rs.7,00,000/- from the petitioner to
execute a sale deed with regard to a piece of land, but the opposite
party No. 2 did not execute the sale deed and issued three cheques
of Rs.6,50,000/-. All the three cheques were dishonoured. The
opposite party No. 2 got anticipatory bail after concealing some
material facts.



Learned counsel for the petitioner submits that the opposite party No. 2 had agreed to execute the sale deed but from the facts, it appears that no deed of agreement to sell was executed.

The case of the opposite party No. 2 was that he issued cheques in favour of the complainant as the complainant happens to be his relatives, but later on, he informed the Bank not to make payment on the aforesaid cheques after being apprehensive to the fact that the complainant would not return the money.

Learned counsel for the petitioner did not show any ground so that the anticipatory bail granted to the opposite party No. 2 be cancelled.

Considering the facts aforesaid, I do not find any merit in the petition for cancellation of anticipatory bail. Accordingly, the same is dismissed.

S.Ali/-

(Prabhat Kumar Jha, J)

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