

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33542 of 2016

Arising Out of PS.Case No. -3270 Year- 2010 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Ajit Kumar Son of Sachidanand Kumar, Resident of Village:- Bhagwanpur,
P.S:- Sadar, District:- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Prabhat Kumar Shahi, Son of Sri Chandra Bhushan Shahi, Resident of
Village:- Harkamana Shahi, P.S.:- Minapur, District:- Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mrs. Jyotsna Rani Mishra, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 05-10-2016 Heard both sides.

The Petitioner apprehends his arrest in Complaint
Case No.3270 of 2010 for the offence alleged under Sections 420,
406 of the Indian Penal Code and 138 of N.I. Act.

The complainant alleged that the petitioner took
Rs.5,50,000/- from him with assurance to return the money very
soon. The petitioner issued two cheques each of Rs.2,75,000/- and
when the complainant deposited the same in the Allahabad Bank
for encashment, both the cheques were dishonoured due to
insufficiency of fund in the account of the petitioner.

Learned counsel for the petitioner submits that the

petitioner never took any loan from the complainant. Complainant is a land broker. The petitioner gave cheque for Rs.5,50,000/- to the complainant for purchasing a piece of land but later on the petitioner knew that the land was disputed and, therefore, petitioner demanded a cheque but the complainant presented the same for encashment. It appears that the case was of the year 2010. The prayer for anticipatory bail of the petitioner was rejected by order dated 21.3.2012 by the learned Sessions Judge and after more than four and half years, the petitioner moved this Court for grant of anticipatory bail. On this ground alone that the petitioner has come to this Court after four and half years, I am not inclined to release the petitioner on anticipatory bail.

Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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