

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36372 of 2016

Arising Out of PS.Case No. -2217 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE District- MUZAFFARPUR

Umesh Rai son of Mahendra Rai, resident of Mohalla- Gandhi Chowk Pokhra, P.S.- Hajipur Town, District- Vaishali

.... Petitioner

Versus

1. The State of Bihar
2. Lalbabu Singh son of Bhagdev Singh, resident of Mohalla- Nandpuri Bhagwanpur, P.S.- Sadar, District- Muzaffarpur

.... Opposite Parties

Appearance :

For the Petitioner : Mrs. Bela Singh, Advocate

For the State : Mr. Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 17-09-2016 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 420 and 406 of the Indian Penal Code registered in connection with Trial No. 1890 of 2016 arising out of Complaint Case No. 2217 of 2014.

3. It is submitted that the petitioner has been falsely implicated and in any event, the alleged offences under Sections 406 and 420 of the IPC are not made out against the petitioner as the amount in question was advanced to him by way of loan. It is therefore submitted that the dispute between the parties is of contractual nature at best. It is further stated that an amount of Rs. 3,25,000/- received through cheque from the complainant

being the father-in-law of the petitioner’s younger brother for the purpose of marriage expenses of the latter with the complainant’s daughter.

4. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Bail petition stands dismissed.

(Vikash Jain, J)

B.T/Chandran

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