

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8223 of 2017

Arising Out of PS.Case No. -30 Year- 2016 Thana -DANAPUR District- PATNA

=====

Krishan Kumar Saw @ Krishna Saw S/o Sri Prabhu Saw R/v - Digha
Nahar, P.S. - Digha, Distt. - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Sri Madan Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 27-02-2017

Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Danapur
P.S. Case No. 30 of 2016 instituted for the offence under
Section(s) 406, 420 of the Indian Penal Code and Section 138 of
the Negotiable Instruments Act.

There is allegation that petitioner and his wife
Manju Devi took Rs. 4,00,000/- as loan from the informant. It is
further alleged that co-accused Manju Devi gave a cheque of Rs.
2,00,000/- and two blank cheques against the loan of the informant
but when the informant deposited the said cheque for its
encashment, the same got bounced.

A counter affidavit has been filed on behalf of
the informant bringing on record the documents with the signature



of this petitioner to the effect that total amount of Rs. 4,00,000/- has been taken as loan from the informant and against the loan, the wife of this petitioner has handed over a cheque of Rs. 2,00,000/- and two blank cheques to the informant.

It has further been submitted that during investigation the police has found the case true against the petitioner and his wife and submitted charge-sheet under Sections 406, 420 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

In such circumstances and the documents available on record, it appears that petitioner has taken loan from the informant which he did not return. Hence, this Court is not inclined to enlarge the petitioner on anticipatory bail. The prayer of the petitioner for anticipatory bail is rejected.

The petitioner is directed to surrender before the Court below within a period of six weeks from today in connection with Danapur P.S. Case No. 30 of 2016, G.R. No. 203 of 2016 and seek regular bail, which shall be considered and disposed off on its own merit without being prejudiced by the order of this Court.

(Sanjay Priya, J)

Shageer/-

U		T	
---	--	---	--

