

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37046 of 2017

Arising Out of PS. Case No.-136 Year-2016 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Arun Kumar Dixit son of Audh Narain Dixit, resident of Quarter No. O.C.B.
near General Office, Dalmianagar, P.O. and P.S.- Dalmianagar, District-
Rohtas (Bihar)

... .. Petitioner/s

Versus

State Of Bihar & Anr

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. SRI AJAY KUMAR-1

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 21-11-2017 Heard learned counsels for the petitioner, complainant and
the State.

Petitioner apprehends arrest in connection with Complaint
Case No. 136 C of 2016 registered for the offence punishable
under sections 406 of the Indian Penal Code and section 138 of
the Negotiable Instruments Act.

Learned counsel appearing for the petitioner submits that
present case has been lodged with *mala fide* intention. Petitioner
has no heart disease and his heart was never operated, and as
such, the demand of money on that pretext is completely false.
Petitioner has no criminal antecedent.

Learned counsels appearing for the State and the
complainant opposes the prayer for bail and submits that



materials are there to suggest that this petitioner had taken money from the complainant and in turn had issued a cheque in his favour which later on bounced on account of insufficient fund. Petitioner has played fraud with the complainant.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of anticipatory bail to the petitioner. The same is, therefore, rejected.

(Arvind Srivastava, J)

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