

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 13333 of 2017

Arising Out of PS.Case No. -710 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Randip Singh, Son of A.N.Singh, Resident of 503-B, Aralia, Golf Course, DLF, Phase-5, Section-42, Gurgaon, Police Station-Sushant Lok, Haryana

.... Petitioner/s

Versus

1. The State of Bihar
2. Nishant Kumar Roy, Son of Sri Vijay Kumar Roy, Resident of Sai Niwas, Loldipur, Budha Marg, G.P.O., Police Station-Gandhi Maidan, District-Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Uday Chandra Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

10 21-09-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 420 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

The petitioner is a builder and working as Director of M/s. Anglican Indian Investments Limited. The complainant had booked a flat for purchase. The complainant paid consideration money. However, the flat was not registered in the name of complainant. As such, the complainant found himself cheated. The refund cheque issued by the petitioner bounced.



Learned counsel for the petitioner submits that the cheque was earlier produced in the bank at Gurgaon, Hariyana and thereafter the same cheque was produced in the bank at Patna just to create territorial jurisdiction at Patna.

By order dated 11.05.2017, this Court directed no coercive step against the petitioner for the reason that the petitioner was ready for negotiation and refund of the consideration money. The petitioner has not refunded the consideration money. Hence, dishonest intention of the petitioner is apparent.

Therefore, in my view, this is not a fit case for grant of anticipatory bail in connection with Complaint Case No. 710(C) of 2016 pending in the court of learned Chief Judicial Magistrate, Patna.

Accordingly, prayer for bail is refused.

(Birendra Kumar, J)

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