

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2658 of 2017

Arising Out of PS.Case No. -63 Year- 2016 Thana -NOKHA District- SASARAM (ROHTAS)

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Mahendra Prasadson of Late Sukhdeo Sah, resident of village- Nokha, P.S.
Nokha, Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

8 18-07-2017 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in Nokha
P.S.Case No.63/16 registered for the offence under Sections 406,
420, 504, 506 of I.P.C. and Section 138 of Negotiable Instrument
Act.

Accusation is that informant sold paddy worth
Rs.24,00,000/- lacs to the rice mill of the petitioner, but on
repeated demand the petitioner did not paid the money to the
informant. On 25.11.2015 the petitioner handed over 12 cheques
each of Rs.2/- lacs to the informant but on presentation of the said
cheques before the Punjab National Bank for encashment same
were returned dishonoured due to insufficient amount in the
account of the petitioner.



Learned counsel for the petitioner submits that since this is a case of dishonour of the cheque, offence under Sections 406 and 420 of the I.P.C. will not be applicable.

Having considered the facts and circumstances of the case and nature of the allegation I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner is, accordingly, rejected.

(Rajendra Kumar Mishra, J)

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