

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10084 of 2017

Arising Out of PS.Case No. -1806 Year- 2014 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Binod Sah, son of late Chulhai Sah, resident of village-Punaura, Tole-
Janki Nagar, P.O. Punaura, P.S. Sitamarhi, District-Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar
2. Indra Kishore Prasad, son of Ram Ekbal Sah, resident of Court Bazar,
Ward No. 12, P.S. Sitamarhi, District-Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 20-03-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Trial No.92
of 2016 arising out of Complaint Case No.C1-1806 of 2014,
instituted for the offence under Section(s) 406, 420 Indian Penal
Code pending in the Court of the Judicial Magistrate, 1st class,
Sitamarhi.

It is alleged by the complainant that he gave rupees
four lacs in cash to the petitioner and deposited rupees six lacs
into his account on demand made by the petitioner for running
the business. The petitioner did not return money. After several
requests, he issued cheque of rupees six lacs in favour of the
petitioner, which also got bounced with endorsement "Account



Closed”.

By order dated 09.03.2017, petitioner and the complainant was directed to remain physically present in Court. The petitioner is not present today in Court.

The complainant is present in Court. He has stated that he had given money after taking loan from his father, but the petitioner did not return the money.

From perusal of the Complaint Petition, it appears that there is pay-in-slip showing deposit of rupees six lacs by the complainant in the account of the petitioner and the cheque issued by the petitioner, which was presented in the bank but returned with endorsement that account is closed, is also annexed with the Complaint Petition.

In view of such, this Court does not find it a fit case for grant of anticipatory bail.

Prayer is rejected.

The petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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