

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43672 of 2017

Arising Out of PS.Case No. -428 Year- 2017 Thana -KANKARBAGH District- PATNA

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1. Sudhanshu Kumar, Son of Yogendra Prasad, resident of Lodipur, P.S.-
Islampur, District- Nalanda (Biharsharif)..... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 02-01-2018 Heard the learned counsel for the petitioner, the

learned Additional Public Prosecutor and the learned counsel for

the informant.

The petitioner apprehends his arrest in Kankarbagh
P.S. case No. 428 of 2017 for the offences punishable under
Section 406, 420, 34 of the Indian Penal Code.

The informant alleged that she handed over cheques
to Sudhanshu Kumar, the petitioner, for purchasing a scooty. The
informant further alleged that on 16.06.2017 she came to know
that from cheque No. 513614, which was given to the petitioner,
Rs. 5,60,000/- was withdrawn. On enquiry, the petitioner did not
give any satisfactory reply.

The learned counsel for the petitioner submits that
one Anuj Kumar is said to have withdrawn amount from the
HDFC bank through cheque No. 513614. The petitioner received



only four cheques which were cancelled. The informant did not hand over any other cheque to the petitioner. It is further submitted that the bank usually inform the drawee of the cheque before encashment of more than Rs. one lac but no information was given to the informant when the cheque was en-cashed. The petitioner has falsely been implicated in the case.

On the other hand the learned counsel for the informant as well as the learned A.P.P. vehemently opposed the prayer for anticipatory bail.

It appears that the informant has made very specific allegation against the petitioner that petitioner, who is well acquainted with the informant from before, took many cheques from her on the pretext of providing her scooty but Rs. 5,60,000/- was withdrawn from one cheque of the informant.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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