

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.619 of 2018

Arising Out of PS.Case No. -1419 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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Basu Kumar, S/o Dilip Kumar Keshri, resident of 68 G.A. Bibiganj,
Danapur, P.S.- Danapur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manish Kumar, S/o Arjun Prasad, resident of Bibiganj, Maida Toli,
Danapur, P.S.- Danapur, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate.

For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-03-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Complaint**
Case No. 1419(C) of 2015 instituted for the offence under
Sections 406 of the Indian Penal Code and Section 138 N.I. Act.

The allegation in the complaint petition is that the
petitioner took loan of Rs.5,00,000/- from the complainant with
promise to return the same after ten days. It is further alleged that
the petitioner is Chief Operator of M/s. Shree Enterprises. The
petitioner issued Cheque of Rs.5,00,000/- in favour of the
complainant on 8.6.2015. The complainant presented the aforesaid
cheque in Bank which got dishonored.

Learned counsel for the petitioner has submitted that



complainant entered into partnership with the petitioner. The petitioner had put signature on some blank cheques for smooth transaction of business being one of the partner in the aforesaid firm. The complainant had taken one of the cheque after separation from the partnership and by misusing it and filling his name and account number tried to encash the said Cheque and falsely implicated the petitioner in this case. But, no such complaint was earlier made by the petitioner before the police or any authority with regard to taking away the cheque in question by the complainant.

There is specific allegation against the petitioner that he issued cheque of Rs.5,00,000/- which got bounced on presentation in Bank.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail.

(Sanjay Priya, J)

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