

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28277 of 2018

Arising Out of PS.Case No. -1218 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Alok Kumar Singh, son of Amar Singh resident of village- Rampur Daud
Police Station- Kuchaikote , District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Parmanand Kuar, son of late Bali Kuar, Proprietor Trimurti Agro
Agency, resident of village- Banjari More, N.H. 28 Police Station-
Gopalganj, District- Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate
For the State : Mr. Anant Kumar, APP
For the opposite party No. 2 : Mr. Uday Pratap Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 03-08-2018 Heard learned counsel for the petitioner and the State

as well as counsel for the opposite party No. 2.

The petitioner apprehends his arrest in **Complaint
Case No.1218 of 2014** instituted for the offence under Section
420 of the Indian Penal Code and Section 138 of N.I. Act pending
in the Court of **Additional Chief Judicial Magistrate – XII,
Gopalganj.**

It is alleged in the complaint petition that complainant
is agent of HMT tractor agency. Petitioner requested him to give
one HMT tractor on loan for which he paid Rs.38,000/- cash and
assured that remaining amount would be paid within six months,



but on several demands made by the complainant, the petitioner paid only Rs.96,000/- to the complainant. It is also alleged that lastly on several demands the petitioner issued cheque of Rs.5,37,825/- which included principal amount of the price of tractor as well as interest. When aforesaid cheque was presented in the bank, it got bounced due to insufficient fund. The defence of the petitioner is that he has given loan to the complainant amounting to Rs.2,00,000/- and thereafter, the instant case has been filed, but there is no any supporting document for such submission made on behalf of the petitioner.

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.

S.Ali/-
Rohit Kr.

(Sanjay Priya, J)

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