

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23226 of 2018

Arising Out of PS.Case No. -465 Year- 2016 Thana -COMPLAINT CASE District- ARRARIA

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1. Preetam Kumar son of Ram Prasad Sah resident of village - Katha, P.S. - K.Hat, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Dukhanand Sah son of Late Harilal Sah resident of village - Mirjapur Kothi, P.S. - Simraha, District - Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 02-07-2018

Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No. 465-C/16 of 2016, registered for the offence punishable under Section 342, 379 of the Indian Penal Code and Section 138 of N.I.Act.

Allegation as per the complaint against the petitioner is that he had taken maize from the complainant for which he issued two cheques each of Rs.1.50 lacs and Rs.4/- lacs to the complainant but both cheques were bounced.

Submission of learned counsel for the petitioner is that after bouncing of the cheques he return amount in cash but now the complainant has refused to accept the same.



Heard learned A.P.P. also assisted by the learned counsel for O.P.No.2 and they opposed the prayer of the petitioner stating that the petitioner is not coming with clean hand and he has not produced any cheat of paper to show that he had returned the amount for the maize purchased by him.

Having heard both sides and in view of the facts and circumstances stated above, I am not inclined to grant anticipatory bail to the petitioner rather the petitioner should surrender before the court below and pray for regular bail which will be considered on its own merit without being prejudiced by this order.

With the aforesaid observation this application is dismissed.

(Vinod Kumar Sinha, J)

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