

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15503 of 2018

Arising Out of PS.Case No. -9 Year- 2016 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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Sanjeet Kumar, s/o Shiv Kumar, r/o Village- Bithraura, P.S.- Belaganj,
District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Afroz Alam, s/o Md. Mohiuddin, r/o Mohalla- Fida Husain Road, P.S.-
Jehanabad, District- Jehanabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Complainant : Mr. Sheel Bhadra Jhar, Advocate
: Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 25-06-2018 Heard learned counsel for the petitioner, learned
counsel for the complainant and the State.

The petitioner apprehends his arrest in **Complaint Case No.09 of 2016**, instituted for the offence under Section 420 of the Indian Penal Code and Section 138 of Negotiable Instrument Act.

It is alleged in the complaint petition that complainant and petitioner were doing business of selling books as they were known to each other. The differences cropped up between the parties and after checking of account it was detected that a sum of Rs.9,73,506/- was due with the petitioner. The petitioner agreed to



supply books to the complainant in order to return the aforesaid money. It is further alleged that on demand made by the complainant, the petitioner issued two cheques amounting to Rs.2,00,000/- and 1,00,000/- on 02.11.2015 and 01.12.2015 respectively in the name of shop of the complainant namely “Goodbooks”. The aforesaid cheques were presented in the Bank, but they bounced due to insufficient fund.

Learned counsel for the petitioner has submitted that complainant has filed Money Suit 1/2016, for recovery of the amount in question which is pending in the court of Sub Judge-I, Jehanabad.

This Court after looking into the allegation in the complaint petition finds that petitioner has issued cheque in favour of complainant which got bounced due to insufficient fund.

In such circumstances 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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