

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33525 of 2018

Arising Out of PS.Case No. -4982 Year- 2016 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Viresh Kumar Chaurasia S/o Gorakh Chaurasia @ Gorakh Prasad Chaurasia, R/o Mohalla- Saraiya Ward No. 2, P.O. 2, P.O. + P.S.+ District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ganesh Mahto S/o Mohan Mahto, R/o Mohalla- Haziarpur, Ward No. 9, P.O. + P.S.+District- Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishor Singh
For the Opposite Party/s : Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-08-2018 The petitioner is apprehending his arrest in connection with Complaint Case No. 4982 of 2016, registered for offences punishable under Sections 420 and 406 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

Allegation against the petitioner is that he has taken loan of Rs. 2,00,000/- from the complainant but did not return the same and a cheque of Rs. 2,00,000/- was issued by the petitioner, which bounced on presentation before the bank.

It has been submitted on behalf of the petitioner that out and out false and fabricated allegations have been levelled he has already returned the aforesaid amount to the complaint. However,



learned counsel for the petitioner failed to show any document with regard to payment of Rs. 2,00,000/- to the petitioner.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner, however, if the petitioner is ready to deposit the amount even in installments, the court below shall consider the same and pass an appropriate order, if possible, on same day..

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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