

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12206 of 2018

Arising Out of PS.Case No. -56 Year- 2017 Thana -SHASTRINAGAR District- PATNA

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1. Rajeev Ranjan Mishra, S/o Late Nand Kishore Mishra, aged about 40 Years,
 2. Kajal Mishra, W/o Rajeev Ranjan Mishra, aged about 40 Years,
- Both are the R/o Village- Kamba, P.S.- Rajepur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Salim, S/o Md. Kalam, R/o Samapura, Raja Bazar, Madarsa Road, P.S.- Shastri Nagar, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok, Advocate.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 11-05-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Shastri Nagar P.S. Case No. 56 of 2017** instituted for the offence under Section 138 of N.I. Act and Sections 420 and 406 of the Indian Penal Code.

It is alleged that petitioner took money from the informant for business purpose as mentioned in the written report and when the informant demanded money, the petitioners issued cheque of Rs.25,00,000/- to the informant. When the cheque was presented in the Bank, the cheque bounced. It is further alleged



that petitioners also took vehicle of the informant with promise to return the same but the vehicle did not return.

Learned counsel for the petitioners has pointed out Annexure-3 and submitted that account number shown on the cheque does not exist in the name of the petitioners. From Annexure-3 it appears that the aforesaid account is Dummy I-Kit Customer.

This Court finds that cheque issued from the aforesaid account bears signature of petitioner No. 2 who is wife of petitioner No. 1 and the same was deliberately issued by the petitioners with purpose of cheating the complainant.

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

Prayer for anticipatory bail of the petitioners stands rejected.

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

(Sanjay Priya, J)

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