

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61769 of 2017

Arising Out of PS.Case No. -3590 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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Bindeshwari Singh, aged about 55 years, son of Late Ramphal Singh,
Resident of Quarter no. B/7, I.O. C.L. Staff Colony, Madhuwan Paradeep,
District Jagat Singhpur Orissa Original, resident of Village- Kurthaul, P.S.-
Parsa Bazar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sulekha Singh @ Surekha Singh, aged about 36 years, wife of Manoj Kumar Singh, resident of Mohalla- Park Road, Kadamkuan, P.S.- Kadamkuan, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar, Advocate.

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

5 12-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Complaint Case No. 3590(C) of 2016** instituted for the offence under Section 420 of the Indian Penal Code.

It is alleged in the complaint petition that petitioner issued two cheques to the complainant amounting to Rs.6,00,000/- and 7,80,000/- but both cheques got bounced when presented in the Bank on 21.10.2016 and 3.11.2016 respectively due to insufficient funds in the account of the petitioner.

Learned counsel for the petitioner has submitted that after bouncing the aforesaid two cheques, no legal notice was



issued to the petitioner by the complainant. This complaint case has been lodged on 14.11.2016.

The matter was earlier sent to Mediation Centre but matter could not be resolved.

Learned counsel for the opposite party No. 2 has appeared and submitted that no serious efforts has been made by the petitioner to settle the matter in Mediation Centre. Today, a counter affidavit has been filed on his behalf. Let it be kept on the record. It is apparent from Annexure-A to the counter affidavit, which is agreement entered into between the parties that petitioner received an amount of Rs.2,00,000/- and 2,51,000/- by two cheques and Rs.10,00,000/- cash with promise to return the amount within six months. The agreement bears the signature of this petitioner and signature of two witnesses. The opposite party No. 2 has also enclosed the return memo of the Bank which shows that the two cheques issued by the petitioner in favour of the complainant for the amount of Rs.13,80,000/- got bounced due to insufficient fund.

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.

(Sanjay Priya, J)

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