

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31183 of 2018

Arising Out of PS.Case No. -632 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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1. Shiv Shankar, son of Late Mohan Lal Mahto @ Lat Mohan Lal Singh,
resident of Mohalla Hathsarganj, P.S. Hajipur Town, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 09-08-2018 The petitioner is apprehending his arrest in connection with Hajipur Town P.S. Case No. 632 of 2017, registered for offences punishable under Sections 420, 406, 467, 468, 471 of the Indian Penal Code and Section 139 of the N.I. Act.

Allegation against the petitioner is that he swallowed the money of the informant, which was taken in the name of providing loans to twenty five persons.

Submission of learned counsel for the petitioner is that out and out false and frivolous allegation has been levelled and in fact it is the informant, who has taken Rs. 20 lacs and has returned Rs. 15 lacs and rest of the money was due with the informant and in order to avoid payment, he has come with this false case and for that the petitioner has already filed an informatory petition, which



is annexure -3 and earlier also there was transaction between the informant and petitioner.

Heard learned A.P.P. also who opposed the prayer for anticipatory bail of the petitioner.

Having heard both sides, from perusal of the impugned order, it is evident that number of transactions have been made through the account of the informant to the account of the petitioner at different times and petitioner has also received number of cheques from different persons for different amount, as such, he has committed fraud with number of private persons. Accordingly, I am not inclined to grant to grant privilege of anticipatory bail to the petitioner rather, he should surrender before the court below and pray for regular bail which will be decided by the court below on the merit of the case, without being prejudiced by order of this Court.

(Vinod Kumar Sinha, J)

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