

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27468 of 2017

Arising Out of PS.Case No. -503 Year- 2015 Thana -BIHTA District- PATNA

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1. Dr. Vinod Kumar Sharma, son of Late Munshi Sharma, resident of
Village- Giriak, P.S.- Griak, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Prasad Ii

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 09-01-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Bihta P.S. Case No. 503
of 2015 instituted for the offence under Sections-406, 420 of the Indian
Penal Code and Section-138 of N.I. Act.

There is allegation in the written report that the petitioner
issued a cheque for Rs. 49,000/- to the informant which got bounced
with endorsement “insufficient fund”.

Counsel for the petitioner has submitted that he has informed
the bank about losing of the aforesaid cheque on 05-12-2014. The
counsel for informant has submitted that the cheque has been issued by
the petitioner on 08-01-2015 whereas, in the information given by the
petitioner in the bank on 05-12-2014, it was mentioned that the cheque
book has been lost on 30-11-2014. The copy of aforesaid information
given by the petitioner to the bank is annexed as Annexure-2. Counsel



for the informant has submitted that from Annexure-2 itself, it is apparent that the petitioner has given information to the bank on 05-12-2014 about losing of the aforesaid cheque book but just to commit cheating with the informant, he has issued the cheque on 08-01-2015 for the aforesaid amount and the cheque got bounced.

Therefore, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail stands rejected.

The petitioner is directed to surrender in the court below and seek regular bail which will be considered and disposed of on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

A.K.V./-

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