

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40439 of 2018

Arising Out of PS.Case No. -749 Year- 2017 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Ashok Kumar Singh, Son of Deomuni Singh, Resident of Village- Torana,
Police Station- Sheosagar, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nagendra Kumar Singh alias Narendra Singh, Son of Late Munshi Singh,
Resident of Village- Kekarha, P.O.- Torani, P.S.- Sheosagar, District-
Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-08-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Complaint Case No.749 of 2017 registered for offences punishable
under Section 138 of the Indian Penal Code.

Allegation against the petitioner is that he has taken 202.37
quintal wheat from the complainant and issued two cheques in
favour of the petitioner but that cheques were bounced and a sum
of Rs.2,86,197/- is due with him.

Submission of the learned counsel for the petitioner is that
he has paid the amount through RTGS to the Opposite Party No.2
On the other hand learned counsel for the O.P.No.2 has submitted



that the amount, which was paid, was with respect to purchase of the rice and that was paid earlier to the purchase of the wheat and amount of purchase of wheat has not been paid and that shows the intention of the petitioner that he wants to misappropriate the amount for sale of wheat.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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