

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46223 of 2018

Arising Out of PS.Case No. -2114 Year- 2015 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN (MOTIHARI)

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1. Santosh Prasad S/o Ram Vishwanath Yadav, R/o Vill.- Bathuahia, P.S.- Darpa, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sanni Kumar Jaishwal, S/o Late Baiju Prasad Jaiswal, R/o Henri Bazar nakcheda Tola , P.S.- Nagar Motihari, Distt.- East Chapara.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-08-2018 Heard learned counsel for the petitioner, the informant as well as the State.

The petitioner apprehends his arrest in Complaint Case No. 2114/2015, instituted for the offences punishable under Section 420 of the Indian Penal Code and Section 138 of the N.I. Act.

In the written report, it is alleged that complainant is proprietor of M/s Sai Khad Bhandar and the petitioner is a contractor. The petitioner used to take money as loan and also cement on credit from the complainant. It is further alleged that petitioner gave two cheques amounting to Rs. 3,04,700/- after calculating the dues amount. When the complainant deposited the



said cheques in the Bank, it got bounced due to insufficient fund.

Learned counsel for the petitioner has submitted that in fact, the petitioner had given two cheques for surety to the complainant. There is no any account of any dues with the petitioner.

Learned counsel for the complainant has submitted that in the complaint petition he has given in detail about the cheque numbers, which the petitioner had issued for making payment of dues amount.

Considering the specific allegation levelled against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Sanjay Priya, J.)

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