

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9572 of 2019

Arising Out of PS. Case No.-1798 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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RAGHU DIPTI @ SANJAY KUMAR S/o Late Raj Kishore Prasad R/o
Village- Dhurlak, P.S- Samastipur Mufassil, District- Samastipur
... .. Petitioner

Versus

1. The State of Bihar
2. Suresh Prasad S/o Late Shyam Narayan Prasad Resident of Village-
Nikaspur, P.S- Tajpur, Dist- Samastipur
... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma
For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 25-04-2019 This application, for grant of anticipatory bail, arises out
of Complaint Case C.R. No. 1798 of 2017, disclosing offences
under Sections 420 of the Indian Penal Code and Section 138 of
the N.I. Act.

Allegation as per complaint petition is that the petitioner
has taken Rs. Twenty five lakhs for sale of certain piece of land to
the complainant but did not execute the sale deed and also did not
return the money and on much persuasion, petitioner issued a
cheque of Rs. Twenty Five Lakhs, which was dishonored by the
bank on presentation.

Submission of learned counsel for the petitioner is that
he had given a cheque of Rs. Twenty Five hundred to the
complainant with respect to other transaction and not for sale of



any land, however, by making interpolation in the said cheque, he made it Rs. Twenty Five Lakh and also changed the date and presented before the bank, which was dishonored.

Heard learned A.P.P. also.

It appears that earlier vide order dated 18.02.2019, a coordinate Bench of this Court had directed the court below to get the check verified from the Forensic Science Laboratory and the report of Forensic Science Laboratory has been received.

Having heard both sides, considering the fact and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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