

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6570 of 2019

Arising Out of PS. Case No.-658 Year-2016 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Jitendra Kumar Singh, aged about 50 years, Male, Son of Sri Bhagwan Singh,
Resident of Village-Dihara, P.S.-Bikramganj, District -Rohtas at Sasaram.

... .. Petitioner

Versus

1. The State of Bihar.
2. Harendra Singh, aged about 47 years, Son of Sri Ram Ashish Singh, Resident of village-Tilai, P.S.- Sanjhauli, District- Rohtas at Sasaram. At present resident of Mohalla-Jayram Nagar, Ward No. 15, Bikramganj, P.S.- Bikramganj, District- Rohtas at Sasaram.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr.Raghunandan Kumar Singh, Advocate.
For the State	:	Mr. Anil Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-02-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 420 of the IPC and 138 of the Negotiable Instrument Act.

The prosecution story, in brief, is that the petitioner had taken Rs. 5,00,000/- from the complainant for his personal necessity and treatment on 18.07.2015 in presence of witnesses for which a receipt on Non-Judicial Stamp of Rs. 100/- was made on which it was also written that the aforesaid amount will be returned within a year. The complainant demanded his money but the accused assured him to return the said money



after two or three months and further the accused has given a cheque of Rs. 5,00,000/- and also asked that the same be deposited in the Bank after three months the aforesaid money will be made available in the account. After expiry of the period of three months, he has deposited the aforesaid cheque in Bank of Baroda, but the same cheque was bounced due to insufficient fund in the account. Thereafter, he requested to give cash to him then the complainant misbehaved with him and threatened him. Then a legal notice was sent to the accused but till today no reply was received.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There was business transaction between the parties. The matter relates to settlement of accounts. The present case relates to civil dispute.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender



before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.J.-Ist-cum-A.C.J.M., Bikramganj, Rohtas at Sasaram, in connection with Complaint Case No. 658 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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