

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18843 of 2019**

Arising Out of PS. Case No.-1622 Year-2017 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Siyaram Ray, son of late Hardev Ray, R/o Mohalla- A/1015, New Sabaji
Mandi, Azadpur, P.S- Azadpur, New Delhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandra Mohan Prasad, Son of Late Ram Pratap Mahto R/o Mohalla-
Pokhariya, Children Academy, Ward No. 37, P.S- Nagar, District- Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 25-06-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 1622C of 2017, disclosing

offences under Sections 406 and 420 of the Indian Penal Code

and Section 138 of the N.I. Act.

Prosecution story as per complaint petition is that

petitioner has approached the complainant for a business in

partnership and on that he has taken huge amount of

Rs.30,00,000/- and when he demanded the money back, he

issued a cheque of Rs.30,00,000/- of PNB with the assurance

that the same will be honoured, but when the complainant

presented the said cheque in his bank account maintained at

Allahabad Bank, the same was bounced due to insufficient



amount.

Submission of the learned counsel for the petitioner is that the whole allegation is false and concocted. Earlier petitioner was also given time to seek instructions as to whether he is ready to pay the amount vide order dated 18.06.2019 but no instruction has been received from him. Further submission is that he has not ever met the complainant and cheque bears only his signature and amount was not filled by him.

Heard learned A.P.P. as well as learned counsel for the complainant, who has opposed the prayer for bail by stating that it is clear case of cheating and inducing the complainant as he was taken money and issued a cheque, which bounced.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, the same shall be considered by the learned trial court on its own merit.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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