

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43930 of 2019

Arising Out of PS. Case No.-545 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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RANJEET KUMAR, aged about 41 years, male, Son of Sri Laxmi Prasad
Resident of Mohalla - Ranipur, Neem Tal, Post Office- Jhauganj, P.S.-
Mahadiganj, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dina Nath Prasad, (Male), aged about 54 years, Son of Late Seth Mistry
Resident of Mohalla - Station Road, P.S.- Alamganj, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.Bishwajeet Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

7 25-09-2019 No one appears on behalf of the petitioner.

Learned counsel for the complainant-opposite party no. 2 is
present.

The petitioner is seeking anticipatory bail in
connection with Complaint Case No. 545 of 2018
registered under Sections 406 of the Indian Penal Code and
138 of the N.I. Act.

Although, no one appears for the petitioner, but
from the perusal of the records and the submissions made
on behalf of the complainant-opposite party no. 2, it appears
that as per allegations the complainant-opposite party no. 2



had advanced a loan of Rs. 1,00,000/- (Rupees One Lakh) to the petitioner.

Learned counsel for the complainant-opposite party no. 2 submit that this kind of loan were being exchanged on several occasions but this time the complainant-opposite party no. 2 issued a cheque of Rs. 50,000/- to the petitioner towards refund of the part of the loan amount, when the said cheque was presented for payment, the same stood dishonoured for want of sufficient fund.

Learned counsel for the complainant-opposite party no. 2 submits that the petitioner has committed breach of trust, therefore, prima-facie offence under Section 406 I.P.C. and Section 138 of the N.I. Act has been made out.

Considering the facts and circumstances of the case where as per complaint petition the complainant-opposite party no. 2 had been advancing loan to the petitioner on several occasions in connection with business but this time a cheque issued by the complainant-opposite party no. 2 has stood dishonoured on presentation, let the petitioner abovenamed, in the event of his arrest/surrender



before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -V, Patna City, in connection with Complaint Case No. 545/2018, subject to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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