

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78715 of 2018

Arising Out of PS. Case No.-102 Year-2017 Thana- CHAPRA TOWN District- Saran

Binay Kumar Yadav S/o Krishna Prasad Yadav Resident of Village-Bara
Telpa Maharani Sthan,P.S. Chapra Town,Distt.-Saran at Chapra

... .. Petitioner

Versus

1. The State of Bihar
2. Ashish Ranjan Verma S/o Late Santosh Kumar Verma R/o Village-Chhota
Telpa (Kodar),P.S. Chapra Town,Distt.-Saran at Chapra

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Tej Pratap Singh

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-01-2019 Petitioner apprehends his arrest in connection with

Chapra Town P.S. Case No. 102 of 2017 registered for the

offences punishable under Sections 420, 406, 506, 341 of the

Indian Penal Code and Section 138 of N.I. Act.

Allegation against the petitioner is that he purchased
computers and CCTV worth Rs.4,49,000/-, against which he
issued cheques and he has also taken Rs.2,00,000/- with
assurance to return back the same till first week of September,
2016 but when the cheques were presented in Bank they
bounced and petitioner has not paid Rs.2,00,000/- also. Further
allegation is that when legal notice was issued to the petitioner,
2-3 persons came to the informant and abused him.

Submission of learned counsel for the petitioner is



that there is business transaction between the parties and cheques were given for security purpose and not for cheating the informant and as such he has falsely been implicated in this case.

Heard learned APP also, who has opposed the prayer for anticipatory bail of the petitioner stating that intention of the petitioner is not fair and he has also not paid the part the money and the cheques issued were dishonoured.

Having heard both sides and in the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner. However, if petitioner surrenders and make prayer for regular bail with assurance to return the money, the same shall be considered and to be disposed of, if possible, on the same day.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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