

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6832 of 2020

Arising Out of PS. Case No.-442 Year-2019 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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SHUBHAM KUMAR GUPTA @ SHIVAM KUMAR GUPTA S/o- Jagarnath Prasad Gupta R/o- Village- Bhakurhar, Ward- 16, P.O. and P.S.- Bairganiya, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vijay Prakash S/o- Banarshilal Sah R/o- Shivalay Mandir Road, Village, P.P. and P.O.- Bairganiya, District- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indrajesh Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 01-02-2021 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 420 of the Indian Penal Code and Section 138 of Negotiable Instrument Act.

Complainant has alleged that he runs a business in the name and style of Sidhi Vinayak Taders and petitioner was running Minu Tradings in which he was dealing with the business of Patanjali Products. It is alleged that the petitioner was supplied Patanjali goods on five occasions for total amount of Rs.24,18,448/- and the petitioner issued two cheques, one of



Rs.14,50,946/- and another cheque of Rs.9,67,502/- but on presentation of cheques, it was found that the petitioner has stopped the payment on cheques and the cheques were dishonoured.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case and nature of allegation, I am not inclined to grant bail to the petitioner. Hence, the prayer for anticipatory bail of the petitioner is hereby dismissed. However, if petitioner surrenders and seeks regular bail, then prayer for bail shall be considered on its own merits, without being prejudiced by the order.

(S. Kumar, J)

Sanjay/-

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