

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14499 of 2022**

Arising Out of PS. Case No.-1126 Year-2016 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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MOHAN SAH Son of Hanumana Sah Resident of Village - Baka Shijhuua,
P.O.- Upari, P.S.- Ramgarh, Distt.- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vishal Kumar Singh @ Pankaj Singh, Son of Dr. Rajeshavar Prasad Singh
Resident of Village - Kanahua, P.S. - Ramgad, P.O.- Bghadhee, Distt.-
Kaimur (Bhabhua).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mrs. Kiran Kumari Sharma, Advocate
For the Opposite Party/s :	Mr. Uday Chand Prasad, A.P.P.
	Mr. Praveen Kumar, Advocate
	Mr. Uday Pratap Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 05-12-2022 Heard learned counsel for the petitioner, the
complainant and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 420
of the Indian Penal Code and Section 138 of the N.I. Act.

Learned counsel for the complainant at the outset
submits that earlier when the case was taken up on 19.09.2022,
the learned counsel for the petitioner had submitted that
petitioner is a person with clean antecedent and is willing and
ready to pay the cheque amount to the complainant but requires



sometime, based on which the petitioner obtained stay order and today when the matter is being taken up the petitioner very flatly refuses, which shows the conduct of the petitioner. Learned counsel next submits that the cheque, which was issued by the petitioner, bounced on presentation for encashment and thus the petitioner cheated the complainant.

Learned counsel for the petitioner submits that now the petitioner has instructed to make submission that since rice mill has been closed he is not in a position to pay.

Considering the submission made by the learned counsel for the complainant, the Court is not inclined to grant privilege of anticipatory bail to the petitioner in connection with Complaint Case No. 1126 of 2016 pending in the Court of learned Chief Judicial Magistrate, Kaimur at Bhabhua/successor Court.

Hence, prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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