

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46501 of 2021

Arising Out of PS. Case No.-579 Year-2019 Thana- KESARIA District- East Champaran

RAJ KISHORE TIWARI Son of Gaurishankar Tiwari Resident of Village -
Rajepur Kuwar Tola, P.S.- Kesariya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Abhishek Kumar
For the Opposite Party/s :	Mr.Shyameshwar Dayal
	Mr. Raju Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-08-2022 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 406, 420 of the Indian Penal Code and u/s 138 of N. I. Act.

As per the prosecution case, this petitioner took cash of Rs. 4,88, 500/- from the informant to construct house and issued a cheque of Rs. 4,88,500/- dated 30.09.2019 but when the informant presented the cheque in bank the same was dishonoured.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is submitted that petitioner took loan of Rs. 50,000/- from the informant and he put signature on blank stamp paper as



well as on blank cheque in good faith but the informant cunningly utilized the same to extort money from him. Petitioner has got clean antecedent.

Learned counsel appearing for the State and the informant opposed the prayer for anticipatory bail and submitted that it is a case of cheque bounce and petitioner issued a cheque of Rs. 4,88,500/- in favour of informant and when the cheque was presented before the bank the same was dishonoured on account of insufficient balance.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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