

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50330 of 2021

Arising Out of PS. Case No.-2142 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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DIPEEKA DUTTA D/O Rabindra Dutta Resident of 115/45, BOSE PUKUR
ROAD, Tiljala, South 24 Parganas, District - West Bengal -700039.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR

2. Subhasis Gayen aged about 44 years, son of L.N.Gyaen, R/o 4/16, Rocky
Path, P.S. Sakhsapur, Sarani, Durgapur, posted as Sales Executive, Supreme
Industries Ltd. At present residing at Patna, One Mall Dakbungalow Road,
Crossing Near Maurya Lok Complex, 7th Floor Room No. 701 and 709, P.S.
Pirbahore, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aryan Sinha

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 17-08-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard the learned counsel for the petitioner and
learned counsel for the complainant.

The petitioner apprehends her arrest for the
offences alleged under Sections 406 and 420 of the Indian Penal
Code, registered in connection with Complaint (P) Case No.
2142 of 2018.

The prosecution case is that the complainant is
the sales staff of M/s Supreme Industries Ltd. and the petitioner
is a dealer. The complainant supplied furniture worth
Rs.10,41,753/- to the petitioner. She issued cheque of the same
amount which was dishonoured by the Bank.

The learned counsel for the petitioner has
submitted that Section 406 of the IPC is not attracted. He has
submitted further that the cheque was given by the petitioner to
the complainant in security in the year 2010. He has also
submitted that the goods were to be supplied from Durgapur to



Kasba.

The impugned order shows that the petitioner assured the learned court below that she was ready to amicable solution of the dispute and, on her assurance, the order of no coercive steps was passed, but she never initiated for amicable resolution of the dispute.

It is an admitted fact that the cheque has been dishonoured by the Bank.

In view of aforesaid, the petitioner does not deserve the privilege of anticipatory bail, which is hereby rejected. She is directed to surrender before the court below and make a prayer for regular bail.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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