

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50518 of 2021

Arising Out of PS. Case No.-2266 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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KRISHNA PRASAD Son of Ramnath Prasad Resident of Village - Kalibagh
Near Jora Inar Bettiah, Police Station - Bettiah Town (Kalibagh O.P.), District
- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhuneshwar Nath Gupta @ Babloo Gupta Son of Prabhu Jee Gupta Resident
of Village - Krishchan Quarter Nonia Toli Bettiah, Police Station - Bettiah
Town District - West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr.Sachida Nand Rai, Advocate

For the Opposite Party : Mr.Mohammad Sufyan, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 02-11-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case
punishable for the offence under Section 406 of the Indian Penal
Code.

Earlier, on the joint prayer of the parties, matter was
referred to the Mediation Centre and from perusal of Mediator's
report dated 01.11.2022, it appears that both parties did not turn
up before the Mediation Centre and as such, mediation has
failed.

As per the prosecution case, this petitioner took a sum
of Rs. 3,00,000/- from the complainant on different dates for the
purpose of business and marriage of his daughter and in lieu



thereof, complainant took hand note of petitioner on three non-judicial stamp paper, but the petitioner did not return money to the complainant and thus, grabbed the amount of complainant.

Learned counsel for the petitioner denies the prosecution case and submits that as a matter of fact the complainant was working in a non-banking firm, who provides money to people on interest. It is further submitted that petitioner has already paid said money to the complainant, but he could not get the hand-notes, which he handed over to the complainant and taking advantage of this, complainant is making undue pressure upon the petitioner to return the money.

Considering the aforesaid facts and circumstances as well as nature of accusation, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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