

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40283 of 2020

Arising Out of PS. Case No.-2406 Year-2019 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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TARNI RAJAK S/o Late Ganesh Rajak R/o Village- Barari, P.S.- Barari,
District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. MD ASHIK S/o Sitabuddin R/o Village- Soharadangi, P.O.- Kumaripur,
P.S.- Manihari, District- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Pravin Chandra Prasad
For the Opposite Party/s :	Mr.Jharkhandi Upadhyaya
	Mr. Sanjeev Kumar Singh
	Ms. Neha Rani

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

ORAL ORDER

5 02-08-2022 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 his arrest for the

offences alleged under Section 420 of the Indian Penal Code

and Section 138 of the N.I. Act, registered in connection with

Complaint Case No. 2406 of 2019.

The complainant is a dealer of crops. As per

allegation, the petitioner purchased mustard from the

complainant for Rs. 1,71,648/- on credit. On persistent demand,

the petitioner issued a cheque in favour of the complainant on

20.06.2019, which was dishonoured by the Bank.



The learned counsel for the petitioner has submitted that he is innocent and has falsely been implicated in this case. He has submitted further that he is unable to contact his client and seek instructions.

On the other hand, learned counsel for the complainant has opposed the prayer for bail.

From perusal of the order dated 20.06.2022, it appears that the petitioner was ready to make payment and the case was fixed for today. The petitioner has assured to make payment of the entire dues within six weeks, but the dues have not been cleared up-till now, despite assurance given by the petitioner.

In view of aforesaid, the petitioner does not deserve the privilege of anticipatory bail, which is hereby rejected.

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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