

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.396 of 2022

Arising Out of PS. Case No.-418 Year-2020 Thana- HARSIDHI District- East Champaran

PREM RAI @ PREM YADAV SON OF SHANKAR RAI RESIDENT OF
VILLAGE- SABALPUR, NAWAL TOLA, MAHUABAGH BATRAULIYA,
P.S.- SONEPUR, DISTRICT-SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 15-04-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 420 of the Indian Penal Code and u/s 138 of N.I. Act.

As per the prosecution case, this petitioner issued a cheque for Rs. 16,25,000/- in favour of the informant but when the informant presented the same for en-cashment, he came to know that payment has been stopped by the drawer of the cheque.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is submitted that as a matter of fact petitioner entered into an agreement with the informant for purchasing a truck and



consideration amount of the truck was Rs. 10,25,000/- and the petitioner gave Rs. Four lacs to the informant on 23.10.2019. It was further agreed that petitioner would pay the balance amount of Rs. 6,25,000/- and thereafter ownership of truck would be transferred in his name. Later on petitioner came to know that original owner of the truck is Anwar Ali and thereafter he got the truck transferred in his name directly from original owner, Anwar Ali. Petitioner claims clean antecedent and is in custody since 28.06.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that petitioner issued a cheque of Rs. 16,25,000/- in favour of the informant but when the cheque was presented for en-cashment, the informant came to know that payment of the said cheque has been stopped by this petitioner.

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

(Prabhat Kumar Singh, J)

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