

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26389 of 2023**

Arising Out of PS. Case No.-87 Year-2020 Thana- COMPLAINT CASE District- Sheohar

Pravin Prakash Son Of Ravindra Singh Bhagwatpur Bhaluahiya, P.S.
Shikarganj, District East Champaran 845418

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vikash Kumar Singh son of Shankar Ravindra Singh Village- Paharpur Po-
Jahangirpur Ps- Shyampur Bhatha Dist- Sheohar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neeraj Kumar

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 18-07-2023 Heard both parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 420 of the Indian Penal Code and section 138 of the Negotiable Instruments Act.

3. It is a case of cheque bounce. The cheque of Rs. 17,80,000/- issued by this petitioner in favour of complainant got bounced due to insufficiency of fund.

4. It is submitted that petitioner is innocent and has committed no offence. The entire allegation is false and fabricated. The complainant has filed this false case only to extort money. As a matter of fact, this petitioner purchased a bike on loan from S.Sky Automobiles at Sheohar on 29.04.2019,



the owner of the said showroom was closely associated with the complainant therefore, petitioner contacted the informant in order to get the best deal. Thereafter, the complainant informed petitioner that the show-room is asking for a security cheque which shall be refunded after repayment of the loan amount. The petitioner in good faith handed over a blank cheque bearing number 693389 of State Bank of India, Dhaka, East Champaran Branch and the informant deliberately misused the said cheque. Petitioner claims clean antecedents. Counsel for petitioner placed reliance upon a judgment passed in Criminal Appeal No. 1741 of 2023 (Ramesh Kumar Vs. The State of NCT of Delhi).

5. Counsel for OP No. 2 vehemently opposed the prayer for bail.

6. Considering the facts aforesaid and the fact that petitioner is the author of the said cheque which got bounced due to insufficiency of fund, I am not inclined to enlarge the petitioner above-named on anticipatory bail in connection with Complaint Case No. 87(C) of 2020. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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