

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27374 of 2023

Arising Out of PS. Case No.-1631 Year-2019 Thana- GAYA COMPLAINT CASE District-
Gaya

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AMARJEET KUMAR S/O SURENDRA KUMAR SINHA Resident of
Village- Kujapi, P.S.- Chandauti, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. AJIT KUMAR SINHA S/O LATE CHANDRADEEP PRASAD Resident of
Village- Kujapi, P.S.- Chandauti, District- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 419
and 420 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the complainant
alleges that petitioner had taken a loan of Rs. 6,33,000/- from
him for opening a medicine shop, but did not returned the
money, it is next alleged that two cheques were issued but the
cheques were not presented for encashment on assurance of the
petitioner that money would be returned to him.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that petitioner had never taken any loan from the informant for opening a shop, it is also submitted that if cheque would have been issued in favour of the complainant then definitely the same would have been presented for encashment but then the same was not done, it is also submitted that a complaint case came to be instituted only with a view to falsely implicate the petitioner.

5. Learned counsel for the petitioner next submits had an FIR been instituted, the case would have been investigated and the falsity of the allegation would have manifested.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case



No. 1631 of 2019 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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