

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51394 of 2023

Arising Out of PS. Case No.-490 Year-2020 Thana- BAIRIYA District- West Champaran

Badababu Mishra @ Lalbabu Mishra Son Of Late Dhrub Mishra R/O-Semari
Mishra Tola Ward No. 05, P.S.-Sathi, Distt.-WEST Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-08-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 420 of the Indian Penal Code and Section 138 of the N.I.Act.

3. This petitioner is alleged to misappropriated Rs. 3,91,000/- (Rupees three lacs ninety one thousand) of the informant while he was posted as Manager in her petrol pump.

4. It is submitted on behalf of petitioner that petitioner is innocent and has been falsely implicated in this case. As a matter of fact, petitioner was Manager in the petrol pump of informant and as a security, the informant and her husband had taken a cheque from the petitioner, but subsequently the same was used for lodging the present case. Petitioner has never misappropriated a single penny of sales price.

5. However, learned counsel for the informant vehemently opposed the bail petition and submitted that



petitioner is author of the cheque, which got bounced due to insufficient fund.

6. Considering the nature of accusation, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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