

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57630 of 2022**

Arising Out of PS. Case No.-1297 Year-2018 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Vinod Kumar Gupta S/O Bhikhhkhi Sah Resident of Village- Bhabua Ward
No- 11, P.S.- Bhabua, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Satyendra Narayan Singh @ Satyendra Yadav S/O Radha Yadav Resident of
Village- Bhabua Ward No- 20, P.S.- Bhabua, District- Kaimur (Bhabua).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Radha Mohan Pandey, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No.1297 of 2018 instituted under Sections
420 of the IPC.

As per the prosecution story, the complainant has
alleged that he is the supplier of rice and had given rice to the
tune of Rs.26,00,000/- for which cheques were issued but the
same bounced forcing him to file the complaint.

As per the documents available on record, the
complainant had also given a legal notice to the petitioner who
chose to not to reply to the same.



Learned counsel for the petitioner submits that in a cheque bouncing case no cognizance under Section 138 of the N.I. Act has been taken and further that there is discrepancies in his statement inasmuch as allegation of Rs.26,00,000/- is there but in the solemn affirmation, he had stated about Rs.6,000,35/-.

Having gone through the complaint, it is clear that the petitioner after having taken the rice from the complainant to the tune Rs.26,00,000/- cheated him by giving cheques which ultimately bounced and in that background this Court does not deem it fit and proper to extend him the privilege of anticipatory bail, accordingly petition stands rejected.

(Rajiv Roy, J)

Prakash Narayan /-

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