

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60763 of 2023

Arising Out of PS. Case No.-1780 Year-2022 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Ravindra Shukla Son Of Late Kashinath Shukla Resident Of Village - Naya Basti Manguraha, P.S. - Lauriya, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kishan Kumar Pandey Son Of Late Rajesh Kumar Pandey Resident Of Village - Bankatwa, P.S. - Lauriya, District - West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Ankita Roy, Advocate
For the State	:	Mr.Akhileshwar Dayal, APP
For the O.P.No.2	:	Mr. Sanjeev Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned counsel for the complainant-opposite party no.2.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Complaint Case No.1780 of 2022 in which cognizance has been taken under Section 420 of the Indian Penal Code read with Section 138 of the N.I. Act. The petitioner has got two criminal antecedents and in both the cases he is said to be on bail as per the statement made in paragraph ‘3’ of this application.

3. Learned counsel for the petitioner submits that the brother of the petitioner namely Rajendra Shukla had filed a complaint petition bearing no.1068 of 2022 in the court of



learned Chief Judicial Magistrate, Bettiah, West Champaran for the offences under Sections 420, 380, 452, 384, 386, 323, 307 and 504 of the Indian Penal Code read with Section 27 of the Arms Act against the uncle of the present complainant and others whereafter the present complaint case has been filed. The brother of the petitioner had also given written application to the branch manager of the branch informing him about theft of cheque book.

4. Learned counsel for the complainant-opposite party no.2 submits that the petitioner had issued cheques in question to return the loan amount which he had taken for running the wholesale business. The three cheques of Rs.4,00,000/- were issued to the complainant-opposite party no.2 which stood dishonoured on presentation for want of sufficient fund. Thereafter, a legal notice was also given to the petitioner demanding the amount under the cheques but the amount was not paid, hence, the present complaint has been filed in which cognizance has been taken and summons have been issued to the petitioner.

5. Having regard to the facts and circumstances of the case wherein this Court has noticed that the three cheques which were issued in favour of the complainant-opposite party no.2



were signed by this petitioner and he is the signatory of the cheques which stood dishonoured for want of sufficient fund, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. Prayer is refused.

6. In case the petitioner surrenders and prays for regular bail in the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

7. This application is dismissed.

(Rajeev Ranjan Prasad, J)

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