

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68232 of 2022

Arising Out of PS. Case No.-368 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

=====

AMIT KUMAR JHA @ AMIT KUMAR @ AMIT JHA S/o Shri Ganpati Jha
R/o Mohalla- Balbhadrapur Ward no. 45, P.S.- Bahadurpur, Distt- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anshu Kumar Son of - Not known Anshu Kumar, (Om India), Director, C/O
Late Girija Nandan Singh, 3A, Anand Palace, New Bye Pass, Shivam
Convent School, Opp. ICICI Bank, P.S.- Ramkrishna Nagar, Distt- Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Subhash Kumar Mishra
For the Opposite Party/s	:	Mr. Awadhesh Kumar Singh
		Mr. Krishnakant Upadhyay

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-05-2023 Heard the parties.

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

The prosecution case is that, the complainant had given Rs.8,00,000/- to the petitioner in good faith and LED bulb was given to the petitioner on credit. It is alleged that the petitioner had issued a cheque of the said amount in favor of the complainant stating that he would pay Rs.8,00,000/- and the cheque was issued to the complainant but the same was bounced due to account being closed.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is submitted that petitioner is doing business at Darbhanga and in course of time, Govind Mishra who happens to be the brother-in-law of petitioner's sister and being an agent of complainant's company persuaded the petitioner to enter into the business of selling government LED bulb at Darbhanga and also requested him to support him by the issuance of a blank cheque to get the supply of the said bulb from the company of the complainant. He further submits that the petitioner has also sent reply of legal notice sent by the complainant. Petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the complainant opposed the prayer for anticipatory bail. It is submitted by the learned counsel for the complainant that cognizance has already been taken by the learned Court below against the petitioner.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event



of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Complaint Case No.368 (C) of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, the petitioner is directed to co-operate in the trial and if he does not appears on two consecutive dates fixed by the learned Court, then the bail bond of the petitioner shall be cancelled by the learned Court below.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

