

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18300 of 2024

Arising Out of PS. Case No.-242 Year-2014 Thana- KISHANGANJ District- Kishanganj

Nanbabu Mishra S/O Ramdulare Mishra R/O Village- Ramnagar Jhinna, P.O- Jai Prabha, P.S- Gonda, Distt.- Gonda, U.P- 271209, At Present Managing Rkds, Financial Consultancy Pvt. Ltd. Rnuo- 74900, U.P.- 02010, Ptc- 039365, 9/1523 B-11, Floor, Ram Bhawan Building, Vidhan Marg, Gawalinton Chauraha, Near- Allahabad Bank, Hussan, Gang, Lucknow.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijaya Laxmi Srivastawa
For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-04-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The learned counsel submits that it is a settled principles of law that an F.I.R. is not maintainable in a case relating to bouncing of cheque and for the said proposition relies on an order of this Court, on the case of Hemant Kumar Das & Another vs. State of Bihar, 2018(4) PLJR 725. It is further submitted that the petitioner seeks anticipatory bail in connection with Kishanganj P.S. Case No.242/2014, registered for the offence under sections 406, 420 of the Indian Penal Code and Section 138 of the N.I. Act. It is also submitted that investigation in the case is still going on.



3. The learned APP at the outset submits that the offence for which the instant F.I.R. has been instituted against the petitioner carries a punishment of 7 years and less to which the learned counsel for the petitioner does not dispute.

4. In view of the submission made by the learned APP the anticipatory bail application is disposed of in terms of the order dated 13.02.2024 in Cr. Misc. No.3536/2024 (Naushad Ansari vs. State of Bihar).

5. The petitioner would be at liberty to file a representation within a period of three weeks from today before the concerned Superintendent of Police of the district and the Investigating Officer of the case with a web copy of the order dated 13.02.2024 in Cr. Misc. No.3536/2024 (Naushad Ansari vs. State of Bihar) and the Superintendent of Police shall ensure that Investigating Officer of the case strictly adhere to the direction contained in the said order.

(Satyavrat Verma, J)

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