

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26277 of 2024

Arising Out of PS. Case No.-36 Year-2024 Thana- SITAMARHI District- Sitamarhi

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Kumar Viresh Verma Son of Late Surendra Verma @ Surendra Kumar Verma
Resident of Vill.-Mohandih Ward No.14, P.O.-Banchauri, P.S.-Dumra, Distt.-
Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramji Prasad Gupta Son of Sri Prahlad Shah Resident of Mohalla-Pani
Tanki, Near Dr. Sushma Singh, Court Bazar, Ward No.17, Sitamarhi, P.S.
and Distt.-Sitmarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 419 and 420 of Indian
penal Code and Section 138 of Negotiable Instrument Act
1881.

3. It is a case of cheque bounce. Cheque issued by the
petitioner of Rs. 23,70,000/- has bounced due to insufficiency of
balance in account.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against this petitioner is false and concocted. As a matter of fact, no negotiation for sale of land took place in between the parties. The petitioner and informant was co-partner in business of X-ray and due to business the informant was doing work of ITR and during that course the informant kept cheque of the petitioner in his custody with a view to blackmailing the petitioner. Moreover, petitioner has already given total amount of Rs. 42,36,000/- to the informant through phone pay and cash in presence of the witness. Petitioner claims clean antecedent.

5. Learned counsel for the state and OP 2 oppose the prayer for bail and submit that there is a specific allegation against the petitioner that, after taking advance money of Rs. 15,50,000/- from the informant for the sale of land in his favour, he neither executed the sale deed in his favor nor returned the alleged amount. This fact is also supported by witnesses during the course of the investigation. He further submits that the cheque issued by the petitioner, when presented for encashment, got bounced.

6. Considering the nature of accusation and gravity of



offence , prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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