

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52375 of 2024

Arising Out of PS. Case No.-874 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Rupesh Kumar SON OF Shiv Shankar Patel VILLAGE- BHOPATPUR
KOTWA, PS- KOTWA, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

1. The State of Bihar
2. Madhusudan Singh Son Of Late Ramashish Singh Village- Chhota Bariyarpur, Ps- Chhatauni, Dist- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vikash Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner, learned
counsel for the respondent and learned APP for the State.

2. Petitioner is apprehending his arrest in connection
with Complaint Case No. 874 of 2023, cognizance has been
taken u/s 193, 417, 467, 468, 471, 506, 34 of the Indian Penal
Code.

3. As per the complaint petition, the allegation against
the petitioner is that the son of the complainant went to
Chhatauni Bus Stand, Motihari to participate in the counseling
for taking admission in MBBS course as he had qualified the
NEET. At the bus stand, his file containing two cheques of
ICICI Bank duly signed by him which was to be paid to the
medical college and other documents got lost. Thereafter, the



son of the complainant blocked his account. After taking admission and returning from Kolkata, the son of the informant also filed an informatory petition in the Court of learned S.D.M., Sadar, East Champaran. Thereafter, the complainant came to know that the petitioner who is unknown to him has filed a complaint case. The complainant then procured its certified copy which revealed to him about transaction relating to the above lost cheques.

4. Learned counsel for the petitioner submits that there is no specific overt act against the petitioner. The complainant as well as his son Sandeep Kumar are accused of the petitioner's complaint case vide C-2551/2022 in which learned Magistrate took cognizance under Section 138 of the N.I. Act. Learned counsel for the petitioner further submits that that petitioner is quite innocent and has not committed any offence. He has been falsely implicated in this case due to ulterior motive. The petitioner has no criminal antecedent.

5. Learned counsel for the respondent submits that the process under Section 82 and 83 of the Cr.P.C. has been issued against the petitioner.

6. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail. The prayer for



grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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