

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3013 of 2024

Arising Out of PS. Case No.-1249 Year-2021 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Mukesh Kumar S/o Late Hari Shankar Prasad R/o Mohalla-Vikash Nagar Maranga, P.S.-K.Hat (Maranga), District Purnea
 2. Rakesh Kumar S/o Late Hari Shankar Prasad R/o Mohalla-Vikash Nagar Maranga, P.S.-K.Hat (Maranga), District Purnea
 3. Pritam Kumar @ Pritam Kumar Sinha S/o Mukesh Kumar @ Mukesh Kumar Sinha R/o Mohalla-Vikash Nagar Maranga, P.S.-K.Hat (Maranga), District Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prem Chand Bhagat S/o Bhola Bhagat R/o Village-Cikni Markandey Tola, P.S-Sarsi, District-Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ram Prawesh Kumar, Adv.
For the Opposite Party/s :	Mr. Md. Matloob Rab, APP
	Mr. Ranjan Kr. Jha, Adv.
	Mr. Subhash Kr. Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 18-07-2024 Heard learned counsel for the petitioners, learned
A.P.P for the State and learned counsel for the complainant /
opposite party no. 2.

2. The petitioners apprehend their arrest in a case
registered for offence under Sections 323, 341, 417, 406 of the
Indian Penal Code.

3. As per prosecution case, the complainant, being
farmer, supplied maize worth Rs. 6, 77,210/- to these petitioners



and petitioner no. 1 issued a cheque of Rs. 4,00,000/-, written as “For” in place of “Four” due to which, the cheque could not be cleared. It is further alleged when complainant and his family went to the house of petitioners to demand their money, they were abused and assaulted by petitioners.

4. Learned counsel for the petitioners submits that petitioners have already paid entire amount to the complainant, but only to save his skin, the present complaint has been falsely lodged against these petitioners, since mother of petitioners have also lodged a complaint against complainant, vide Complaint Case No. 1025 of 2021. Moreover, the dispute is of civil nature.

5. However, learned A.P.P. for the State and learned counsel for the opposite party no. 2 vehemently oppose the prayer for anticipatory bail. Learned counsel for opposite party no. 2 submits that petitioner no. 1 is author of the cheque, which got dishonoured and petitioner no. 2 & 3 are alleged to have cheated the complainant with petitioner no. 1. He further submits that though, petitioner no. 2 has clean antecedent, but petitioner no. 1 has got nine criminal antecedents whereas petitioner no. 3 has five criminal antecedents of similar nature.

6. Considering the aforesaid facts and circumstances,



the prayer for anticipatory bail of petitioners is rejected.

(Prabhat Kumar Singh, J)

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