

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3670 of 2024

Arising Out of PS. Case No.-61 Year-2023 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

=====

Prahlad Mishra S/O Late Nandeo Mishra Village- Brahman Tole, Pupri, Ps.
Pupri, Dist. Sitamarhi.

... .. Petitioner/S

Versus

1. The State of Bihar
2. Najir Khan S/O Yasin Khan Village- Bahera, Jahidpur Tola, Yadupatti, Ps.
Nanpur, Dist. Sitamarhi.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha

For the Opposite Party/s : Mr.Md. Nazir Ansari

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 05-08-2024

Heard learned counsel for the parties.

2. As per prosecution case, the opposite party no. 1 is involved in dealing with land and the petitioner accused is also in the same business. Further case of the complaint is that there was negotiation of sale for Plot No. 299, Khata No. 146 in Mauza Pupri Bazar and in pursuance to that he received 20 Lakh rupees from one of his customer and deposited with the petitioner for the reason that the land owner namely Sahwaj used to take the money through Prahlad Mishra (petitioner) as his broker who used to get the land registered through its owner. It was further alleged that the accused person has taken the money from several other customers but the sale could not be



executed in favour of the customers of the complainant. So the complainant requested him to return 20 Lakh rupees which the petitioner refused. Thereafter on pressure the accused became ready to pay the money through cheque and the accused/petitioner gave him two cheques which he deposited in the Bank but it got dishonoured on 06.03.2023. Thereafter when the complainant made a complain to the accused/petitioner about dishonor of the cheque and requested for return of the money, the accused petitioner not only refused to return the money but he also assaulted and abused him. Therefore the complainant sent a legal notice, too, but when it was not replied this complaint was filed.

3. At the stage of cognizance, this Court will not examine the defence of the petitioner. The defence of the petitioner can only be examined by the Court below in the trial.

4. This application is dismissed.

(Sandeep Kumar, J)

Arish/-

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

