

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64610 of 2024

Arising Out of PS. Case No.-2328 Year-2023 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Sumit Kumar @ Bittu Mehta S/o Rajendra Prasad Mahto R/o vill -
Maheshpur Sotipar, Korha, P.S. - Korha, Distt. - Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Binod Kumar Sah aged 46 years S/o Late Gopal Sah Resident of Village
Maheshpur Sotipar, P.S. Korha, Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Nawal Kishore Prasad,APP
Mr.Sanjeev Kr. Singh, Adv.for OP-2

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 03-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner apprehends his arrest in a complaint
case, punishable for offence punishable under Section 420 of the
Indian Penal Code.

3. As per prosecution case, petitioner took *Makhana*
(fox-nut) from the complainant and assured him to pay the
amount after selling the same in market, but he did not pay the
amount. When the complainant asked him to pay the money, the
petitioner gave two cheques of Rs. 6,82,000/- each to the
complainant, but on presentation, the cheques got dishonoured.

4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in this case. In fact, cheques were issued by the petitioner, as security purpose, as petitioner used to purchase fox nut from the complainant, but the complainant, due to some ill-motive, has falsely implicated petitioner. Petitioner claims clean antecedent.

5. However, learned counsel for the opposite party no. 2 vehemently opposes the prayer for anticipatory bail and submits that there is specific allegation against petitioner of committing forgery of Rs. 13,64,000/- with the opposite party no. 2/complainant and the cheques, which were issued by petitioner, also got dishonored due to stop payment order.

6. Considering the same, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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