

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34187 of 2023

Arising Out of PS. Case No.-1868 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

=====

RAM GOPAL SINGH Son of Sri Birja Prasad Yadav Resident of Mohalla -
Ramji Chak, P.S.- Digha, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satangati Son of Late Sampat Kumar Singh Resident of Mohalla - K.R.
Sarkar Road, B-Area Mithapur, P.S. - Jakkanpur, District - Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Ranjan, Adv. Ms. Shweta Anand, Adv. Ms. Aastha Ananya, Adv.
For the Opposite Party/s :		Mr.Raj Ballabh Singh, APP. Mr. Alok Chaubey, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 420 of the Indian Penal Code and Section 138 of the Negotiable Instrument Act.

3. As per the FIR, the complainant alleged that the petitioner is the friend of his deceased son. Petitioner had taken Rs. 50 lacs from the complainant and his deceased son but when the complainant asked for Rs. 40 lacs, the petitioner gave cheques, which got dishonored by the bank due to insufficient fund.



4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is dispute regarding business transaction. It is further submitted that the son of the complainant, who has advanced the money as per the complainant, has never lodged any case during his lifetime but after the death of his son, the complainant has lodged the false case against the petitioner with ulterior motive. He further submits that the cognizance has been taken under Section 420 of IPC and Section 138 of the N.I. Act. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is dispute regarding business transaction and the cognizance has already been taken against the petitioner under Section 420 of the Indian Penal Code and Section 138 of the Negotiable Instrument Act, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the



learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complainant Case No. 1868(C) of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

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

