

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35607 of 2023

Arising Out of PS. Case No.-887 Year-2019 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Ravi Ranjan Kumar S/O Umashankar Singh R/O Village-Girdhariya, P.S.-
Shivsagar, Dist.-Rohtas. Petitioner/s

Versus

1. The State of Bihar
2. Anil Kumar Shukla S/O Ram Ashish Shukla R/O Village-Mitanda, P.S.-
Shivsagar, Dist.-Rohtas Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Singh
For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-08-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in a case registered for
the offences punishable under Sections 405 and 420/34 of the
Indian Penal Code and Section 138 of the N.I. Act.

3. The petitioner is said to have taken Rs.6,89,570/- from the
complainant/opposite party no.2 and for discharge of the debt,
he had given a cheque of Rs.5,50,000/-, which got dishonored.
Other allegations have also been made in the complaint petition.

4. It is submitted by learned counsel for the petitioner that no
such occurrence as alleged ever took place. Petitioner has been
falsely implicated in this case due to ulterior motive. It is
further submitted that for the same amount, as alleged in the



present case, the complainant had lodged Sasaram (T) P.S. Case No.609/2019 in which final form was submitted against the petitioner finding it not true and, thereafter, the complainant filed a Protest-Cum-Complaint Case No.307/2022 for the same occurrence on same facts in which petitioner has been granted bail by the Court below itself. It is further submitted that petitioner is the Director of his school, whereas the complainant was Principal of that school and the petitioner had given some blank cheque to the complainant for smooth functioning of the administration of his school, but the complainant has misused the alleged cheque to fulfill his dishonest intention and the petitioner is himself a victim in this case due to dishonest and fraudulent act of complainant. It is further submitted that moreover for the same alleged offence two criminal cases shall not be permitted to run and more so the nature of the dispute is civil in nature. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as also the fact that the nature of the dispute is civil, 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 lower Court
where the case is pending/successor Court in connection with
Complaint Case No.887 of 2019, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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