

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38438 of 2023

Arising Out of PS. Case No.-3904 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Rana Kumar @ Ranjit Kumar Gupta @ Ranjit Kumar Rana @ Ranjit Kumar
Gupta Rana S/O Late Hazari Lal Gupta R/O Prprietor M/S Sahu Sweets, R/O
G-712, Peoples Co-Operative Colony, P.S- Kankarbagh, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Purushottam Kumar S/O Late Umeshwar Prasad Sharma R/O G-62, People's
Co-operative Colony, P.S- Kankarbagh, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Neerad Parashar
For the State	:	Mr. Pramod Kumar Pandey
For the Complainant	:	Mr. Hemant Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-10-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State assisted by learned counsel for the

complainant.

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 N.I. Act.

3. As per the prosecution case, the complainant

gave Rs. 10 Lakhs through cheque and in case to the petitioner.

When the complainant demanded back his money from the

petitioner the petitioner gave a cheque of Rs. 10 lakhs to the

complainant which when deposited in bank got dishonored.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner has taken loan of only Rs. 4,30,000/- through bank transfer and could not return the loan amount with interest due to pandemic and, therefore, under pressure issued cheque of Rs. 10 lakh to the complainant, which included the principal and interest amount. He further submits in para-8 of the bail application that the petitioner is ready to give the principal amount i.e. Rs. 4,30,000/- to the complainant within one month and the rest amount is subject to the outcome of this case. 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 prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on **provisional bail** for **two months**, 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 Complaint Case No. 3904(C) of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The learned Court below shall confirm the provisional bail of the petitioner after satisfying that the petitioner has returned the said amount i.e. Rs. 4,30,000/- to the complainant.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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