

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52095 of 2023

Arising Out of PS. Case No.-4 Year-2018 Thana- SAHJAHANPUR District- Patna

VIDYA NAND KUMAR VERMA S/O SRI NAGESHWAR VERMA R/O
VILLAGE- NOUBAKHER, PO- HATNI PS. GHOGHARDIHA DIST.
MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Adv

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP.

Mr. Ajay Kumar Singh No.1, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 12-09-2023 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 406 of the Indian Penal Code & Section 138 of N.I. ACT.

3. The prosecution case, in brief, is that the informant is a businessman, who in the course of business had supplied bricks to the petitioner amounting Rs. 3,70,800/- and in respect of said amount, the petitioner had issued two cheques total amounting Rs. 3,70,800/- which was presented by the informant in his bank account in the State Bank, Daniawan Branch but neither the said amount could be delivered to the informant nor the presented cheque could be returned to the informant from the Bank. Then,



the informant complained against the said bank to the Bank in Lok Pal Office, the bank provided certified copy of cheques with the cost of Rs.10,000/- but the informant refused to take money, thereafter, the informant sent legal notice to the accused on 28.08.2017 by the registered post, but no reply of the said notice was served to the informant by the petitioner.

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 totally false and based on concocted facts. The real fact is that the petitioner deposited the cheques in the concerned Bank on 02.09.2014, but due to latches of the Bank, the said cheques were missing from the bank. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant oppose the prayer for bail and submitted that the allegation made against the petitioner is serious in nature, hence he does not deserve anticipatory bail.

6. Having regard to the facts and circumstances of the case and considering the nature of the offence, 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 Shahjahan Pur P.S. Case No. 04 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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