

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12834 of 2024

Arising Out of PS. Case No.-22 Year-2023 Thana- CHHATAUNI District- East Champaran

Vijay Kumar Sharma @ Vijay Kr. Sharma Son of Rameshwar Sharma R/o
Village- Chhatauni Badhai Tola, P.S.- Chhatauni, District- East Champaran,
Motihari. Petitioner/s

Versus

1. The State of Bihar.
2. Shiv Shankar Sahni son of late Sitaram Sahni R/o vill - Puraina, P.S. -
Dumariyaghat, Distt. - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 16-04-2024 Heard Mr. Karandeep Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Rajendra Singh,

learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Chhatauni P.S. Case No. 22 of 2023 registered under
Sections 406 and 420 of the Indian Penal Code and Section 138
of the N.I. Act.

3. As per the allegation made in the F.I.R., the cheque
issued by the petitioner in the name of the informant got
dishonoured.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner is ready to return the entire
amount to the informant for which he has filed a compromise
petition before the District Court and in this regard he has given



specific statement in paragraph no. 3 and 4 of the supplementary affidavit.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the statement made in paragraph nos.3 and 4 of the supplementary affidavit filed on behalf of the petitioner in which a clear statement has been made that the petitioner has filed a compromise petition before the District Court and in terms of the compromise entered into between the complainant and the petitioner, the petitioner has undertaken to return the entire amount of Rs 4,77,000/- in 24 months.

7. The District Court considering the statement made in Paragraph Nos. 3 and 4 of the supplementary affidavit filed on behalf of the petitioner before this Court may consider to enlarge the petitioner on bail, if such application is made before the District Court.

8. Accordingly, the present bail application stands disposed of with liberty to the petitioner to seek appropriate remedy before the District Court.

(Purnendu Singh, J.)

Mantreshwar/-
Ashishsingh/-

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