

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11073 of 2024

Arising Out of PS. Case No.-7707 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Samarjeet Singh Son of Late Dhananjay Singh Resident of Flat No. - 3A,
Mateshwari Sri Ram Residency, Kanulal Road, P.S.- Jakkanpur, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suman Kumari Wife of Late Madan Mohan Singh Resident of Nalapar,
Sheopuri, P.S.- Shastrinagar, dist.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramkishor Singh
For the Opposite Party/s : Mr. Mukesh Kumar Singh
Mr. Nawal Kishore Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 26-06-2024 Heard learned counsel for the petitioner, State and
complainant/opposite party no. 2.

2. The petitioner apprehends his arrest in a complaint
case punishable for the offence under Section 420 & 406 of the
Indian Penal Code and Section 138 of the N.I.Act.

3. It is a case of 'cheque bounce'.

4. As per complaint petition, the petitioner took Rs. 50
lacs from the opposite party no. 2 for some personal use and
after some time, when complainant demanded his money, the
petitioner gave a cheque of Rs. 50 lacs, which got bounced.

4. Learned counsel for the petitioner submits that
entire allegation made in the complaint petition is false and



fabricated and he has been falsely implicated in this case. Petitioner is a government employee. However, without admitting the allegation made in the complaint, the petitioner is ready to deposit 25% of the alleged cheque amount i.e. **Rs. 12,50,000/- (Rupees twelve lacs fifty thousand)** in easy installments in the Nazarat of the Civil Court, for which, learned counsel for the opposite party no. 2 does not oppose.

5. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna in connection with Complaint Case No. 7707(c) of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further following conditions:

“(A) *At the time of furnishing bail-bond*, the petitioner shall deposit **Rs. 2,00,000/-** (Rs. Two lacs) in the *Nazarat* of Civil Court, Patna.

(B) *Rest amount i.e. Rs. 10,50,000/-* (Rs. Ten lacs fifty thousand) shall be deposited in the *Nazarat* of Civil Court, Patna *in four installments* within a period of *twelve months* from the date of furnishing bail-bond.



(C) The aforesaid payment shall be subject to final outcome of the case.

(D) If petitioner fails to comply the direction of this Court, the learned Court below would be at liberty to cancel the bail-bond of the petitioner.”

6. This order has been passed, without going into the merit of the case, only for the purpose of consideration of prayer for anticipatory bail of petitioner.

(Prabhat Kumar Singh, J)

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