

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16287 of 2024**

Arising Out of PS. Case No.-621 Year-2023 Thana- DHANARUA District- Patna

Manoj Kumar Singh S/o Late Bhagwan Singh Resident of Village Sundarpur  
PO Nadwan PS Dhanarua, Distt. - Patna ... .. Petitioner/s  
Versus

1. The State of Bihar
2. Rahul Kumar S/o Sharvan Kumar R/o vill - Mirachak, P.S. - Dhanarua,  
Distt. - Patna  
... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Lakshman Jha, Advocate  
For the Opposite Party/s : Mrs.Anita Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      18-04-2024                      Heard learned counsel for the petitioner, the State  
and the informant.

2. The petitioner is apprehending arrest in connection  
with Dhanarua P.S. Case No. 621 of 2023 instituted under  
Sections 419, 420, 406 of the Indian Penal Code lodged on  
29.9.2023 by the informant, Rahul Kumar.

3. As per the prosecution story, the informant alleged  
that a sum of rupees was taken away as a loan but on demand,  
the petitioner refused to pay. The further allegation is that a  
Panchayati took place and decision was taken that the loan will  
be returned but again despite putting in signature, the payment  
was not made. Left with no option, the FIR.

4. Learned counsel for the petitioner submits that  
exaggerated amount has been alleged in the FIR, actual payment  
is Rs. 7,10,102/- out of which, he has already paid Rs.



5,06,157/- and thus less than Rs. 2,00,000/- remained.

5. A counter affidavit on behalf of the informant who has since appeared filed and the agreement document has been attached as Annexure-A to show that the actual payment was Rs. 12,00,000/- and the signature of petitioner as also his son Sanjeev Kumar on 14.4.2023 is there.

6. The allegation is of cheating the informant of Rs. 12,00,000/- even in the present petition, the petitioner has chosen to confuse the Court putting in a sum different from what has been alleged in the FIR. The signature on the agreement paper which is part of the counter affidavit clearly shows that the amount is Rs. 12,00,000/-.

7. Being convinced that the allegation that has come in the FIR, prima facie seems to be true, no relief can be granted.

8. The Cr. Misc. No. 16287 of 2024 stands rejected.

**(Rajiv Roy, J)**

Ravi/-

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