

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17180 of 2024**

Arising Out of PS. Case No.-597 Year-2023 Thana- GAYA KOTWALI District- Gaya

RAJ LAXMI DEVI W/o Manoj Kumar Singh Resident of Vill and Post-Sahiya, P.S.-Wazirganj, Dist-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rakesh Shrivastava

For the Opposite Party/s : Ms. Meena Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      20-03-2024                      1. Heard the learned counsel for the petitioner and the learned APP for the State.

2. The learned counsel for the petitioner submits that it is well settled principle of law that an F.I.R. is not maintainable in a case related to bouncing of cheque i.e. for instituting a case under section 138 of the N.I. Act, a complaint is maintainable. It is next submitted that in the instant case that the petitioner seeks anticipatory bail in connection with Kotwali P.S. Case No.597/2023 registered for the offences punishable under Sections 406, 420 of the Indian Penal Code read with Section 138 of the N.I. Act. It is further submitted that the investigation in the case is still going on.

3. The learned APP submits that the offences for which the instant F.I.R. has been instituted against the petitioner



carries a punishment of 7 years and less to which the learned counsel for the petitioner does not dispute.

4. In view of the submission made by the learned APP the anticipatory bail application is disposed of in terms of the order dated 13.02.2024 in Cr. Misc. No.3536/2024 (Naushad Ansari vs. State of Bihar).

5. The petitioner would be at liberty to file a representation within a period of three weeks from today before the concerned Superintendent of Police of the district and the Investigating Officer of the case with a web copy of the order dated 13.02.2024 in Cr. Misc. No.3536/2024 (Naushad Ansari vs. State of Bihar) and the Superintendent of Police shall ensure that Investigating Officer of the case strictly adhere to the direction contained in the said order.

**(Satyavrat Verma, J)**

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