

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24659 of 2024

Arising Out of PS. Case No.-10059 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Kishan Kumar Son Of Vikau Mahto Resident Of Village-Jagdsipur Rani Tola
Urf Jagat Singh Pur, Rani Tola, P.S.-Samastipur, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. ANIL KUMAR Son of Late Tarkeshwar Prasad Resident of Moh-Ashok
Nagar, Road No.-1, P.O.-Lohiya Nagar, P.S.-Kanarbag, District-Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar Thakur, Adv.
For the Opposite Party/s	:	Mr. Dilip Kumar No.1, APP
For the Complainant	:	Mr. Ranjan Kumar, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 18-09-2024 Heard Mr Abhay Kumar Thakur, learned counsel for

the petitioner, Mr. Dilip Kumar No. 1, learned A.P.P. for the

State and Mr. Ranjan Kumar, learned counsel for the for the

complainant.

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Sections 420 of the

Indian Penal Code and Section 138 of N.I. Act.

3. As per the prosecution case, the petitioner,

through deceptive means, obtained Rs. 11 lakh from the

complainant. When the complainant requested the return of the

said money, the petitioner provided two post-dated cheques,

which were subsequently dishonored.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in this



case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that it is civil/money dispute between the parties. He further submits that cognizance has been taken under Section 420 of IPC and Section 38 of NIA Act. 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 complainant opposed the prayer for anticipatory bail and submitted that after receiving money from the complainant the petitioner has not returned the same.

6. Considering the facts and circumstances of the case and the fact that it is civil/money dispute between the parties, let 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 Complainant Case No. 10059(C) of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

