

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34830 of 2024

Arising Out of PS. Case No.-961 Year-2022 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Jitendra Singh Son Of Suryadev Singh Resident Of Village- Basri Ps- Dhibra,
Dist- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Navneet Kumar Son Of Late Vijay Kumar Singh Resident Of Village-
Kataiya, Ps- Dev, Dist- Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nikita Mittal

For the Opposite Party/s : Mr.Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-05-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 323,
341, 504 and 506 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of one case and the said case also has
been instituted by the brother of the complainant. It is next
submitted that from perusal of the allegation as alleged in the
complaint, it would manifest that the dispute is purely civil to
which a criminal colour has been given. It is next submitted that
the complainant alleges that an agreement was entered in



between the father of the complainant and the petitioner for starting a brick kiln and both the partners invested Rs. 20 lakhs and the business was controlled by the petitioner. It is further alleged that when the father of the complainant demanded his profit in the partnership business, the same was refused on account of which he went into depression and subsequently died on 24-11-2021, and when the complainant went to meet the petitioner regarding the share of his father in the business, a cheque of Rs. 2 lakhs was given which on presentation for encashment bounced. The learned counsel submits that the issue relating to bouncing of cheque is subject matter of Complaint Case No. 752 of 2022, and in the present case, cognizance has been taken under Sections 406, 323, 341, 504 and 506 of the IPC. It is further submitted that from perusal of the allegation, it manifests that the instant complaint case has been instituted only with a view to coerce the petitioner into submission for parting with money which he does not owe.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 961 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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