

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42954 of 2024

Arising Out of PS. Case No.-760 Year-2023 Thana- GAYA MUFASIL District- Gaya

KUNDAN KUNAL SON OF SATENDRA SINGH RESIDENT OF
VILLAGE- AMRIT BIGHA, RASALPUR, P.S. - MUFFASHIL, DISTRICT -
GAYA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Komal Anita Singh Wife of Amit Kumar Singh R/O Baradih, P.s.- Muffasil,
Dist.- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Praveen Kumar, Advocate
For the State	:	Mr. Jagdhar Prasad, APP
For Opposite Party No.2	:	Mr. Siddharth Harsh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-08-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 406, 420 and 34 of the Indian Penal Code and Section 138 of the N.I. Act.

3. It is a case of cheque bounce. As per prosecution case, specific accusation is against co-accused Manish Kumar, who is alleged to have issued three cheques which got bounced due to insufficiency of funds. So far as this petitioner is concerned, he is alleged to have pressurized the informant to execute sale deed in favour of co-accused Manish Kumar.

4. It is submitted by learned counsel appearing on behalf of the petitioner that as a matter of fact, informant and



her husband have got inimical terms with this petitioner and there are series of litigation between them and due to the long standing dispute between the parties, petitioner has falsely been made an accused in this case. It is further submitted that petitioner is not the author of the cheque in question. Moreover, the dispute involved in the present case relates to sale and purchase of land, which is purely civil in nature. None of the acts allegedly committed by this petitioner would give rise to any criminal liability.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances and nature of dispute, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 C.J.M., Gaya, in connection with Muffasil P.S. Case No. 760 of 2023, subject to condition as laid



down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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