

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41686 of 2024

Arising Out of PS. Case No.-931 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Pintu Kumar S/o Vishwanath Mishir R/o Village- Maharani, P.S.- Pipra,
District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjan Kumar Singh @ Ranjan Singh S/o Vishambhar Singh R/o vill -
Bediban, Madhuban, P.S. - Pipra, Distt. - East Chamaparan, Motihari

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Advocate
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-07-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 406 of the IPC and Section 138 of the N.I. Act in
connection with Complaint Case No.C-931 of 2021.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that he and petitioner are residence of neighbouring
village and thus have a good relationship, further the petitioner
asked for a loan of rupees eight lakhs for purchasing a piece of
land with an assurance that the amount would be returned,
accordingly the complainant gave Rs.7,15,000/- to the petitioner



in four installments, but when the complainant asked the petitioner to return the amount given by way of loan, the petitioner issued three cheques for an amount of Rs.7,15,000/- which on presentation for encashment bounced.

4. The learned counsel submits that from perusal of the allegation as alleged in the complaint, it would manifest that the complainant alleges that he had given a loan of Rs.7,15,000/- to the petitioner and the petitioner in lieu thereof had issued three cheques which on presentation for encashment bounced, as prima facie no offence under Section 406 of the IPC is made out. It is further submitted that offence under Section 138 of the N.I. Act is bailable.

5. The learned APP opposes the anticipatory bail application.

6. 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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, East Champaran, Motihari in connection with Complaint Case No.C-



931 of 2021, subject to the conditions laid down under Section
438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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