

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48373 of 2024

Arising Out of PS. Case No.-57 Year-2023 Thana- BIHAR District- Nalanda

Ranjeet Kumar S/O Sri Arjun Prasad Resident Of Village- Meghi, P.S-
Deepnagar, District- Nalanda. At Present Resident Of Mohalla-
Kamruddinganj, P.S- Laheri, Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Surendra Kishore Thakur, Advocate
For the Opposite Party/s	:	Mr.Shantanu Kumar, APP
For the Informant	:	Mr. Indu Bhusan, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 06-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Bihar P.S. Case no. 57
of 2023 registered under sections 420, 406 and 120B of the
Indian Penal Code and section 138 of the N.I. Act.

3. As per the prosecution case, the informant states
that in course of business transaction, he gave a sum of Rs. 1.54
crores to the petitioner on promise to pay the same within the
time fixed. It is further stated that an agreement was entered into
and the petitioner also gave four cheques, details of which has
been given in the F.I.R. The informant states that on his
depositing one of the four cheques in the account, the same
bounced for lack of fund in the petitioner's account. On the
informant approaching the petitioner for the amount, he was



abused, threatened and was told that the amount would not be returned.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Though the petitioner had taken a loan of Rs. 1.54 lakhs, however at the time of taking loan various signatures on stamp and blank papers had been taken along with the blank signed cheques by way of security. It is these documents and the cheques in which the amount has been interpolated and against a loan of Rs. 1.54 lakhs, the informant has made out a false case of the petitioner having taken a loan of Rs. 1.54 crores. The petitioner is in custody since 24.7.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that besides the petitioner being named in the F.I.R there is direct allegation against him that having taken a loan of Rs. 1.45 crores and giving four cheques by way of security, the very first cheque deposited by the informant for return of the amount taken by way of loan bounced and thus led to the registration of the F.I.R. It is submitted that clear case under sections 420, 406 and 120B of



the Indian Penal Code is made out along with the case for bouncing of cheque and referring to paragraph no. 3 of the petition it is submitted that the petitioner has several antecedents of similar nature.

6. Having heard learned counsel for the parties and and having perused the material on record, taking into consideration the facts and circumstances of the case, the allegations levelled in the F.I.R, the material that has transpired in course of investigation and the so-called loan as stated by the informant to the tune of Rs. 1.54 crores having been given in cash with no corresponding withdrawal of the said amount from the account having been shown, the petitioner having remained in custody for more over one year since 24.7.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Bihar P.S. Case no. 57 of 2023, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Biharsharif.

(Partha Sarthy, J)

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