

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64890 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- BANGARA District- Samastipur

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SANJIT KUMAR SON OF TAPESHWAR RAY RESIDENT OF VILLAGE -
KAWA DIH, P.S. - BALIGAON, DISTRICT - VAISHALI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. PRAKASH ANUPAM SON OF ASHRFI PRASAD SINGH RESIDENT OF
VILLAGE - DUMRI, P.S. - N.H. BANGRA, DISTRICT - SAMASTIPUR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Jagannath Singh, Adv. Mr. Padmanabh Kashyap, Adv. Mr. Deepak Kumar, Adv. Mr. Md. Shahnawaz Ali, Adv. Mr. Md. Ghulam Mustafa, Adv. Mr. Bhargava Pandey, Adv.
For the Opposite Party/s :	Mr. Anish Chandra, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 12-01-2024 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, 420 of the Indian Penal Code and Section 138 of N.I. Act.

3. Allegedly, petitioner is said to have given cheque of Rs. 7,88,962/- in connection with due amount of informant, which got bounced due to insufficient amount in his bank account. Thereafter, the informant requested the petitioner to make payment of his money several times, but no reply was given.



4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The real fact is that the informant took several cheques from the accused persons along with petitioner as a guarantee when the business were running. In the meantime, during the period of Covid-19, the informant supplied chuja and when the chuja was got matured, the informant took chicken from the petitioner and has not paid his money and said that due to fear of Covid-19 pandemic, the selling of Chicken has not been done and thereafter, pressure was mae by the petitioner for his commission and only with a view to grab the money of the petitioner, the informant misused his cheque and lodged this false case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as from perusal of the FIR, it is evident that there is money transaction and business related 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 N.H. Bangra P.S. Case No. 01 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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