

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2527 of 2024

Arising Out of PS. Case No.-446 Year-2019 Thana- TEKARI District- Gaya

Nandan Kumar @ Nandan Kumar Singh S/O Surendra Singh R/O Village-
Kosdihra, P.S- Magadh Medical College, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioners apprehends arrest in connection with
Tekari P.S. Case No. 446 of 2019 dated 10.12.2019 instituted for the
offence punishable under Sections 406, 420 of the Indian Penal Code
read with Section 138 N.I. Act.

3. The prosecution case, in short, is that the petitioner
borrowed bricks from the informant worth or Rs. 8,77,000/-. When
the informant asked for the said amount from the petitioner, he gave
two cheques of Rs. 4,00,000/- and Rs. 4,77,000/- each, but when the
informant went to bank to encash the said cheques, the same got
bounced due to insufficient balance.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this case.
It is further submitted that for the same occurrence, earlier, a



complaint case no. 1564 of 2019 was filed by the same informant on 17.09.2019, and in that case, the petitioner has been granted bail. Learned counsel for the petitioner submits that the present case has been lodged against the petitioner with regard to the amount of Rs. 8,77,000/-, for which two cheques were issued in favour of the informant, but the same got bounced. Lastly, it has been submitted that petitioner has one criminal case bearing Complaint Case No. 1564 of 2019 against him, which has been lodged by the same informant.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Tekari P.S. Case No. 446 of 2019, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Gaya subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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