

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8025 of 2024

Arising Out of PS. Case No.-392 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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HEMANT KUMAR S/O RAJENDRA RAI R/O VILLAGE- BEYAPUR
MANER, P.S- MANER, DISTT.- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Manoranjan Kumar, Advocate
For the State	:	Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-02-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 323, 341, 379, 384, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, the complainant Mukesh Kumar Sinha took a loan of Rs. 27,00,000/- from all the accused persons. At the time of giving the loan, the accused persons took a signed cheque of the complainant. It is further alleged by the complainant that the accused persons gave money to the complainant from 24.02.2022 in part by part and the complainant also returned the loan amount from 03.03.2022 till 20.03.2022 in different accounts of the accused persons amounting in total Rs. 23,01,832/-. It is further alleged that



when the complainant went to return the rest of the amount, the accused persons said that about Rs. 27,22,000/- is still left and thereafter threatened the complainant that they would file a case of cheque bounce. It is also alleged that the accused persons snatched gold chain from neck of the complainant and also took his vehicle.

4. It is submitted by learned counsel appearing on behalf of the petitioner that from bare perusal of the complaint petition it is apparent that the accused persons, including this petitioner, gave a loan to the complainant. It is submitted that the dispute is of civil nature of and no criminal offence is made out against this petitioner. This false and concocted case has been lodged only with a view to put pressure on the accused persons, including this petitioner, not to claim rest of the amount from the complainant. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, nature of dispute and clean antecedents of the petitioner, 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 J.M., 1st Class, Patna City, in connection with Complaint Case No.392 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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