

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4547 of 2024**

Arising Out of PS. Case No.-479 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

1. Kanchan Kumari Wife Of Dipak Kumar Resident Of Village - Mohammadpur Maksudan, P.S. - Sahebganj, District - Muzaffarpur
  2. Dipak Kumar @ Deepak Kumar Son Of Rameshwar Tiwari Resident Of Village - Mohammadpur Maksudan, P.S. - Sahebganj, District - Muzaffarpur
- ... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Priyesh Kumar Jaiswal, Adv.  
For the Opposite Party/s : Mr. Umesh Lal Verma, APP  
Mr. Bhavesh Kumar, Adv.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

8      27-06-2024              Heard learned counsel for the petitioners and learned counsel for the State as well as for the Informant.

2. The petitioners apprehend their arrest in connection with Ahiyapur P.S. Case No. 479 of 2023 registered under Sections 420, 427, 323, 504/34 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

3. As per prosecution case, altogether petitioners gave seven cheques to the informant for purchasing a piece of land and when informant deposited those cheques in his bank, all the cheques bounced due to insufficient fund.

4. Submission of learned counsel for the petitioners is that petitioners are innocent and have falsely been implicated in the present case. As a matter of fact, as per agreement dated 04.03.2023, the total payment which was required to be paid by



the petitioners was Rs.43,83,000/- and the cheques were to be given as 'security' money and informant agreed that after getting the payment of Rs.41,83,000/- the informant will hand over all the security cheques to the petitioners and after that only a final payment of Rs. 2 lacs will be paid to them. It is further submitted that petitioners have already paid Rs.41,83,000/- to the informant they have also paid Rs. 1,50,000/- out of Rs. 2 lacs to the informant, in spite of that, informant deposited security cheques in his account and cheated the petitioners.

5. Learned A.P.P. appearing on behalf of the State and learned counsel for the informant opposed the prayer for bail by contending that petitioners' cheques were bounced due to insufficient fund. Hence, they do not deserve the privilege of anticipatory bail.

6. Having considered the nature of the accusation, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, prayer for bail of the petitioners is rejected.

**(Prabhat Kumar Singh, J)**

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