

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1143 of 2025

Arising Out of PS. Case No.-477 Year-2024 Thana- LAHERIMUHALLA District- Nalanda

1. Sameer Kumar Son of Sanjay Kumar Singh @ Sanjay Kumar Resident of Village- Nichli Kila, P.S.- Bihar, District- Nalanda
2. Sanjay Kumar Singh @ Sanjay Kumar Son of Late Valkeshwar Prasad Singh Resident of Village- Nichli Kila, P.S.- Bihar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-05-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Laheree P.S. Case No.477 of 2024, lodged on 24.09.2024, under Sections 126(2)/127(2)/115(2)/ 308(5) / 351(2)/34 of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against two known and four unknown accused persons with allegation that when informant was going by his vehicle, in the meantime,



his former Manager and his father with two other unknown persons have reached near him and slashed him on motorcycle and started demanding ransom of Rs.15,00,000/-. They have also taken cheque book and taken forceful signature on five cheques amounting to rupees seventeen lakhs, five lakhs, five lakhs, five lakhs and two lakhs. Allegation of snatching Rs.14,75,000/- as well as stamp paper of rupees one thousand on which receiving of Rs.17,00000/- has also been taken forcefully on gun point.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that as per the content of FIR, the said occurrence took place on 21.09.2024 but FIR has been lodged after a gap of about three days, i.e., on 24.09.2024. Counsel submits that the informant himself alleged that petitioner No.1 was his Manager and petitioner No.2 was his father. He submits that situation is completely otherwise, actually the informant was at huge business loss and he has taken loan from the petitioner's father and assured to refund the loan and in this regard he has provided cheques about which he assured to make payment after 25th of September. But on 24th of September he filed the present case, when he received knowledge that



petitioner was going to produce the cheques in the bank. He submits that informant is a big businessman and petitioner No.1 is working under him. His antecedent is clean and his father's antecedent is also clean. Actually, it is the business dispute between the parties in which real dispute is relating to transaction of money for which the present case has been lodged.

5. Learned Counsel for the Informant vehemently opposes the prayer for bail and submits that the police has found the occurrence true, the CCTV footage also indicates the entire occurrence true. Counsel submits that as per his knowledge the petitioners were declared absconder. He further submits that in the supervision report, the Supervisory Officer has also found this case true and, therefore, this case is not fit for anticipatory bail.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that from the contents of the case-diary the occurrence is alleged to have been found true against the petitioners.

7. This Court has only two doubts in this case. Firstly, the order sheet of the Sessions Court is not indicating that the petitioners are absconding, and secondly, the petitioners are not



the stranger rather petitioner No.1 was the Manager of the informant as it has been stated by the informant himself in the FIR. Annexure-3 indicates that a case has also been filed by the petitioners against the informant relating to Cheque bounce.

8. In the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Laheree P.S. Case No.477 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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