

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11279 of 2024

Arising Out of PS. Case No.-21 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

Sumit Kumar S/O Mithilesh Kumar Sinha R/O Road No.-8, Mohalla- Sanjay
Gandhi Nagar, Kali Mandir Road, Hanuman Nagar, Ps. Patrakar Nagar, Dist.
Patna. 800026 ... Petitioner

Versus

1. The State Of Bihar
2. Suman Kumar Nayar S/O Brij Bihari Prasad Prasad R/O House Of Ram
Dayal Mahto, Road No. 8 Sanjay Gandhi Nagar, Kali Mandir Road,
Hanuman Nagar, Ps. Kankarbagh, Dist. Patna.
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms/Mrs. Sachina, Advocate
For the Opposite Party/s : Mr.Arvind Kumar Pandey (App.84)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 23-01-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 406/420 of the Indian
Penal Code and section 138 of the NI Act.

3. As per the prosecution case, in sum and substance
case of the complainant is that the petitioner issued three
cheques of Rs.22,50,000/- in favour of complainant but these
cheques were dishonoured due to insufficient funds. Thereafter,
complainant demanded his money from the petitioner but he
refused to pay and threatened him to kill.

4. Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He submits that complainant is organizer
of a business Committee in which the petitioner and 13 other



persons are members. He has further submitted that while joining as member of the said committee, petitioner gave three cheques and a blank stamp paper of Rs. 1,000/- as security to the complainant. He has further submitted that alleged witnesses are the men of the complainant and they are his staffs. Petitioner has neither signed any memorandum nor he is owner of the land for which alleged false and fabricated memorandum of receipt or agreement has been prepared by the complainant.

5. Learned counsel for the State opposes the prayer for bail. He submits that the petitioner is named in the complainant with specific allegation that he cheated the complainant and took Rs. 45 lacs from him for selling a piece of land which is not in his name and cheques issued by him got dishonoured. Petitioner has criminal antecedent of similar nature as two cases are pending against him.

6. Considering the nature and gravity of allegation, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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