

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4645 of 2025

Arising Out of PS. Case No.-3 Year-2023 Thana- SITAMARHI District- Sitamarhi

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Dhiraj Kumar @ Dheeraj Kumar S/O Ram Balak Singh village -Jail Road
Dumra Nagar, Nigam ward no. -43, P.S.- Dumra, Dist.- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Nagina Rai S/O Ram Vinay Rai R/O Vill.- Madhopur Raushan @
Bhisha, Ward no. 35, P.S.- Dumra, Dist.- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Santosh Kumar
For the Opposite Party/s :	Mr.Sanjay Kumar Tiwary
	Mr. Vivek Kr. Pandey
	Mr. Alok Kr. Alok

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

4 13-08-2025 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and learned counsel for
the opposite party no. 2.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 406, 420, 341,
323, 379, 504, 506/34 of the Indian Penal Code.

3. The allegation in the complaint is that the
complainant had given an amount of Rs. 4,00,000/- to the
petitioner and one Rambalak for the purposes of marriage of the
daughter of the petitioner which was not returned. However, a
cheque of Rs. 4,00,000/- was given but he was informed that the
account has already closed.

4. Learned counsel for the petitioner submits that there
is no chit of paper to show that the opposite party no. 2 had given
an amount of Rs. 4,00,000/- to the petitioner. As a matter of fact,



no such cash was even given to him and the cheque of Rs. 4,00,000/- which is being referred to was a part of business transaction which has been used by the opposite party no. 2 to file the present case.

5. Learned APP for the State and learned counsel for the opposite party no. 2 have opposed the application for anticipatory bail and supports the contents of the complaint.

6. Taking into consideration the above-mentioned facts and circumstances and also considering that there is no evidence to show any transaction in cash nor a case under Section 138 of the N.I. Act has been filed against the petitioner by the present opposite party no. 2, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No. C1/03/2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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