

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10382 of 2025

Arising Out of PS. Case No.-1801 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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Deepak Kumar S/O Devendra Prasad Resident of Village- Janta Colony, Daj
Asthan, Bairagi, P.S-Delha, Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shailesh Kumar S/O Late Shiv Prasad R/O Mohalla- Dholakia Gali,
Kabirbagh, P.S- Kotwali, Distt.- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Aryan Singh
For the State	:	Mr.Anand Kishore Choudhary
For the O.P. No. 2	:	Mr. Sanjeev Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 5 | 18-12-2025 | <ol style="list-style-type: none">1. Heard learned Counsel for the petitioner, learned Counsel
for the Opposite Party No. 2 and learned Additional
Public Prosecutor for the State.2. This application, for grant of anticipatory bail, arises out
of Complaint Case No. 1801 of 2017, in which
cognizance has been taken for the offences punishable
under Sections 420/406 of the Indian Penal Code and
Section 138 of the Negotiable Instruments Act.3. The prosecution case, as per the complaint petition, is that
the complainant runs a dairy shop beside the grocery shop
of the petitioner and there was money transaction between
them. The petitioner demanded a friendly loan from the |
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complainant, upon which, on 21.01.2016, the complainant gave Rs. 4,32,000/- to the petitioner on the promise that the petitioner will return the money soon. The petitioner also issued a cheque for the said amount, but when the complainant deposited the cheque for its encashment, the same was declined on the ground of insufficient amount.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to ulterior motive. There was money transactions between the petitioner and the complainant, which gives rise to civil dispute, but this has been given the colour of criminal case. The allegation against the petitioner is not serious in nature.
5. On the other hand, learned Counsel for the Opposite Party No. 2 opposes the prayer for anticipatory bail and submits that the petitioner intentionally cheated the complainant.
6. Having heard learned Counsel for the parties concerned and taking into consideration the nature of allegation made in the First Information Report and the fact that no serious allegation is made out against the petitioner and the dispute between the parties relates to money transactions between them, I am inclined to grant the



petitioner privilege of anticipatory bail.

- 7. This application is, accordingly, allowed.
- 8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released 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 Chief Judicial Magistrate, Gaya, in connection with Complaint Case No. 395 of 2017.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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