

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12187 of 2025

Arising Out of PS. Case No.-161 Year-2024 Thana- JIRADEI District- Siwan

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1. Lalbihari Ram S/o Late Suresh Ram Resident of Vilage -Sambhupur, P.S.- G.B. Nagar Tarwara, Dstrict- Siwan
 2. Jiwan Shankar Ram S/o Late Suresh Ram Resident of Vilage -Sambhupur, P.S.- G.B. Nagar Tarwara, Dstrict- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi W/o Late Chhotelal Prasad R/o vill - Jamapur, P.S.- Jiradei, Distt.- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh
For the Opposite Party/s : Mr.Arun Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 18-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Jiradei P.S. Case No. 161 of 2024 registered for the offence punishable under Sections-406, 420/34 of the Indian Penal Code.

3. According to allegation, the co-accused Anurag Kumar and the petitioners came to the store of the informant. They took stone chips, cement, iron rod and other building materials on credit but they did not pay the money. Two cheques, issued by the co-accused Anurag Kumar were



dishonoured by the bank.

4. Learned counsel for the petitioners has submitted that it is the co-accused Anurag Kumar who issued the cheques. The petitioners did not issue any cheque in favour of the informant. They have falsely been implicated in the present case merely because they are the father and the uncle of co-accused Anurag Kumar. It has further been submitted that as a matter of fact, the son of the informant and Anurag Kumar were engaged in the business of share market and there was some dispute regarding transaction of money between them. On the pressure of members of prosecution side, the petitioner No. 1 transferred his house made under Pradhan Mantri Awas Yojana in favour of son of the informant. The petitioners belong to the Schedules Castes and prior to the occurrence, the son of the petitioner No. 1 was kidnapped by the members of the prosecution side and in this respect, he has made complaint to the police authority.

5. The petitioners are not drawer of the cheque which has been dishonoured by the bank and the same was issued by Anurag Kumar. The petitioners are the father and the uncle of the co-accused Anurag Kumar.

6. On the otherhand, learned counsel for the informant has submitted that the accused persons cheated the informant



and they grabbed his money and the cheque, issued by the co-accused was dishonoured by the bank.

7. Considering the aforesaid facts and circumstances, let the petitioners named above, in the event of arrest/surrender within four weeks before the court below be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Amit Dayal, learned Judicial Magistrate-Ist Class, Siwan in connection with Jiradei P.S. Case No. 161 of 2024 subject to the conditions as laid down u/S 438(2) of the Cr.P.C.

(Nawneet Kumar Pandey, J)

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