

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25070 of 2025**

Arising Out of PS. Case No.-8921 Year-2023 Thana- PATNA COMPLAINT CASE District-  
Patna

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Sanjeet Kumar Son of Late Moti Lal Resident of 1st Floor, Sumangalam Apartment, East Lohanipur, Police Station and Post Office - Kadamkuan, District-Patna, Permanent Address - C/o Bhaktin Lodge Near Bharat Kiran Store, Daldali, P.O and P.S.-Kadamkuan, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Kaushal Kishore Son of Late Gopal Das Resident of Bari Fatak Gali, West Lohanipur, Post Office and Police Station- Kadamkuan, District-Patna

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raj Shekhar, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      05-05-2025                      1. Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 420 of the Indian Penal Code and Section 138 of the N.I. Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that he entered into an agreement for sale for purchasing 10 dhurs of land at the rate of Rs.24 lakhs per Katha with the petitioner. Further, petitioner extracted more money as detailed in the complaint on pretext of selling more land at the same price but the sale deed was not executed and the petitioner



issued cheque of Rs.12 lakhs which on presentation for encashment bounced.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the complainant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the dispute arose based on an agreement for sale with respect to a piece of land about which the complainant alleges that sale deed was not executed. It is next submitted that since the entire payment was not made as such sale deed was not executed. It is also submitted that petitioner had taken only Rs.4,80,000/- from the complainant but then the complainant misused the cheque of the petitioner which was given by way of security earlier. It is further submitted that offence under Section 138 of the N.I. Act is bailable and in the nature of allegation as alleged prima facie no offence under Section 420 of the Indian Penal Code is made out.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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. 8921(C) of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Kundan/-

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