

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29826 of 2025

Arising Out of PS. Case No.-3186 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Raju Kumar Prasad S/o Sheoji Prasad @ Shivjee Prasad Resident of Village- Alipur Matiar, P.S. Manjhi, District- Saran, at present House No.-119, Jalpura, Kuleshara, Gautam Budh Nagar, Uttar Pradesh.
 2. Chitro Kunwar S/o Late Phoni Kunwar R/o vill - Amalapatti (Mahuaghat), P.s.- Amla Patti, Distt.- Dibrugarh, Assam, at present Alkagaon Bank, Japara, Gaon, Dibrugarh, Assam

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalsa Kumari W/o Santosh Kumar Sharma R/o Mohalla - Srikrishna Nagar, P.S.- Town Motihar, Distt.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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

ORAL ORDER

5 12-11-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in Complaint Case No. C-3186 of 2023, Trial No. 2293 of 2024 registered under Sections 406, 420, 120(B)/34 of the Indian Penal Code.

3. According to complaint petition, the complainant came into contact of the petitioner No. 1. The husband of the complainant was known to the petitioner No. 1. The petitioner No. 1 assured the complainant to procure her job in railway



department, for which, he demanded Rs. 10,000,00/- (ten lakhs). When she expressed her inability to make the payment of the amount then and there, he asked her to issue blank cheques as security for payment of the money in future. The cheques bearing Nos. 511868, 511869 & 511870 were handed over by the complainant to the petitioner No. 1. The petitioner No. 1 putting the complainant under coercion, committed rape upon her and also snapped video clips. After filling the amount in those cheques, he fraudulently got it dishonoured by the bank with intention to falsely implicate the complainant. So far as petitioner No. 2 is concerned, he is said to have introduced the complainant with the petitioner No. 1.

4. It has been submitted on behalf of the petitioners that the entire allegation is false. As a matter of fact, the husband of the complainant was a driver whereas the petitioner is a transporter. There was some dispute between them and that is why, she lodged the false case against the petitioners.

5. On the other hand, the learned counsel for the complainant has submitted that the petitioner No. 1, not only misused cheques given by the complainant by fraudulently filling the amount in those cheques but he gave two of those cheques to another persons namely, Ashok Yadav and Ajay



Singh and on their instance, those cheques got dishonoured and three false cases have been lodged against the complainant by the petitioners Ashok Yadav and Ajay Singh in order to harass her, and to implicate her falsely in multiple cases. Learned counsel has submitted further that in legal notice or the complaint, filed by the petitioners against the complainant, the agreement dated 11-08-2023 has not been mentioned which shows that the agreement dated 11-08-2023 was fraudulent and only with intent to falsely implicate the complainant, that agreement was fabricated.

6. Considering the aforesaid facts and circumstances, let the petitioner No. 2, above named, in the event of arrest/surrender before the learned court below within a period of four weeks, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Complaint Case No. C-3186 of 2023, Trial No. 2293 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of BNSS, 2023.

7. So far as the petitioner No. 1 is concerned, there is specific allegation against him of misusing the cheques handed



over to him by the complainant and also of committing rape putting the complainant under coercion. Hence he does not deserve the privilege of anticipatory bail and accordingly, prayer of the petitioner No. 1 to grant him anticipatory bail is *rejected*.

(Nawneet Kumar Pandey, J)

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