

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33926 of 2025

Arising Out of PS. Case No.-659 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Anaro Devi W/O Late Yogendra Paswan Resident of village- Nandani, PS-
Mohiuddinnagar, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babina Kumari W/O Manoj Kumar Thakur Resident of village- Nandani,
PS- Mohiuddinnagar, District- Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Akshansh Shanker, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP
For the O.P. no.2	:	Mr. Om Prakash Om, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-09-2025

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending her arrest in connection with Complaint Case no.659 of 2023 registered for the offence punishable under sections 420 and 406 of the Indian Penal Code and section 138 of N.I. Act.

3. As per the prosecution case, the complainant states that the petitioner took a sum of Rs.1 lakh as loan on 31.12.2013 and gave a cheque as security thereto. Subsequently, she took a further loan of Rs.13 lacs and gave two cheques of Rs.7 lacs each. On the complainant depositing the cheques, the same bounced and hence the instant case.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The amount of Rs.1 lakh taken by way of loan has already been returned along with interest thereon as is evident from Annexure-2 to the petition. It is further submitted that while the complainant talks of three cheques being given by the petitioner to the complainant, on perusal of the complaint, it would transpire that the first and the third cheque carry the same number ie 411069. It is submitted that in any case, the matter is one of purely civil dispute. The petitioner has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the complainant. Learned counsel for the complainant submits that a total sum of Rs.14 lacs was given by way of loan by the complainant to the petitioner for return of which, two cheques of Rs.7 lacs each was given which on being deposited by the complainant bounced and thus the instant case. With respect to the document brought on record as Annexure-2, it is submitted that the same is a forged document.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in



the complaint, the submissions made, the dispute relating to transaction of money and the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of her arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Complaint Case no.659 of 2023 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 Judicial Magistrate 1st Class, Samastipur.

(Partha Sarthy, J)

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