

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43029 of 2025

Arising Out of PS. Case No.-404 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Jagdanand Singh S/O Ram Pyare Singh R/O Village- Mirzapur, Diliyan, PS
and Distt- Rohtas at Sasaram

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ajit Kumar S/O Janardan Prasad Gupta R/O MOhalla- Takiya, Ward no. 1,
Yusufchak, Near NDA School, Samiti Gate, PS- Sasaram, Distt- Rohtas at
Sasaram

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar Sharma, Adv.
For the Informant	:	Mr. Vijay Anand, Adv.
For the Opposite Party/s	:	Mr. Shyam Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 10-09-2025 Heard learned counsel for the petitioner and

learned counsel for the Informant as well as learned A.P.P for

the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Complaint Case No.
404 of 2021 dated 05.07.2021 registered for the offences
punishable u/ss 420, 406, 323, 341, 379, 120B of the Indian
Penal Code and section 138 of the NI Act.

3. As per the prosecution case, in March, 2020, the
witness no. 1 of the complaint case asked the complainant to
meet with the petitioner who was introduced as a contractor of



Nal-Jal Yojana at Sasaram. The petitioner asked the complainant to invest in his contract which the complainant procrastinated. Again, in the month of June, the petitioner approached the complainant and agreed to return his invested money along with 25% interest of the profit. The complainant invested about Rs.18,00,000/- in the contract till February, 2021. After the complainant asked for returning his money, the petitioner gave him a cheque of State Bank of India worth Rs. 10,00,000/- dated 15.04.2021 in front of the witness. When the complainant tried to encash the cheque in his ICICI bank account, the same stood dishonored due to stop payment instruction by the petitioner. The complainant had also sent registered notice to the petitioner about the said incident and tried to get the matter resolved but it could not be done.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the complainant himself contacted to the petitioner for doing work in the contract of the petitioner and accordingly he has given Rs. 10 Lakhs to the petitioner and the petitioner has given a cheque of ICICI Bank of Rs. 10 lakhs as a security deposit to the complainant. As per the supplementary affidavit filed on behalf of the petitioner, it is voluntarily deposited a Demand



Draft of Rs. 5 lakhs bearing No. 139553 of the State Bank of India issued in the name of Ajit Kumar (complainant) dated 04.09.2025 and the same has been handed over to the complainant Ajit Kumar in presence of his lawyer during the course of the day. It is further submitted that learned counsels of both the sides as well as the complainant himself have put their signatures on the record dated 10.09.2025 regarding receiving the said Demand Draft. It is further submitted that the said demand draft of Rs. 5 lakhs shall be subject to the final order/judgement of the case. The petitioner has five criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 18.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner, however, learned counsel for the Informant has also put his signature on the record regarding the receipt of the said demand draft of Rs. 5 lakhs, by the Informant in course of the day.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody and the fact that the said Rs. five lakhs shall be subject to the final order/judgement of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Rohtas, Sasaram in connection with Complaint Case No. 404 of 2021.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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