

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57963 of 2024

Arising Out of PS. Case No.-136 Year-2021 Thana- SOHSARAI District- Nalanda

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1. ASHA KUMARI WIFE OF LATE RAM ANUGRAH NARAYAN LAL R/V- MOHALLA- GANDHI COLONY, SOHSARAI, P.S.- SOHSARAI, DISTT.- NALANDA
 2. PRANAV KANT SON OF LATE RAM ANUGRAH NARAYAN LAL R/V- MOHALLA- GANDHI COLONY, SOHSARAI, P.S.- SOHSARAI, DISTT.- NALANDA
 3. MILAN KANT SON OF LATE RAM ANUGRAH NARAYAN LAL R/V- MOHALLA- GANDHI COLONY, SOHSARAI, P.S.- SOHSARAI, DISTT.- NALANDA

... .. Petitioner/s

Versus

1. The State of Bihar
2. VANDANA KUMARI WIFE OF SRI UDAY KUMAR R/O- JALALPUR NEAR SAI MANDIR, P.S.- SOHSARAI, DISTT.- NALANDA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Sr. Advocate Mr. Anuj Kumar, Advocate
For the State	:	Ms. Rina Sinha, APP
For the Informant	:	Mr. Abhishek Kumar, Advocate Ms. Aishwarya Shree, Advocate

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

18 15-09-2025 Heard learned senior counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending their arrest in Sohsarai P.S. Case No. 136 of 2021 registered under Sections 406, 420 and 34 of the Indian Penal Code.

3. According to allegation, the petitioners entered into agreement to sale their property to the informant through two



deeds of agreement. The informant paid Rs. 89,00,000/- including the advance money of Rs.2,50,000/- which was paid by cheque and the rest was paid in cash. This amount was for consideration for both of the agreement to sale deeds. The petitioners did not execute the sale deed within the stipulated period. It is alleged that the petitioners issued three cheques to the informant which were dishonoured by the bank.

4. It has been submitted on behalf of the informant that the petitioners committed cheating by giving false assurance of registry of the land in favour of the informant. The petitioners neither executed the sale deed nor returned the money, taken by them. The cheques issued by them were dishonoured.

5. On the other hand, the learned senior counsel for the petitioners Mr. Ansul has submitted that as a matter of fact, the cheques issued by the petitioners was not for consideration money rather it was against some other encumbrances. It has also been submitted that the cheque no. 357081 amounting to Rs. 39,00,000/- of the Punjab National Bank which is said to be issued on 23.05.2021, bears the signature of the petitioner no. 1 and also of her husband who had died in the year 2019 which shows that the cheque handed over to the informant in good faith was misused by her. By filing supplementary affidavit,



learned counsel submits that the husband of the informant has lodged similar cases against other persons also which shows malafide intention of the informant. It has also been submitted that a title suit has also been filed by husband of the informant against one, Pinki Devi and recitals of the plaint of that title suit, is similar to the recitals of the present FIR.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Sohsarai P.S. Case No. 136 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482 (2) of the BNSS, 2023.

(Nawneet Kumar Pandey, J)

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