

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54832 of 2025

Arising Out of PS. Case No.-1016 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Md. Juman S/O Mahngu Ustad Resident of Mutton shop, Sai Mandir
Musallahpur, P.s.- Sultanganj, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajit Kumar S/O Late Laxmi Narayan Singh R/O Block B Flat no. 404,
Laxmi Uma Plaza Apartment, East Lohanipur, P.S.- Kadamkuan, Dist.-
Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Ms. Alka Panday, Advocate Mr. Saharsh Shubham, Advocate Mr. Utkarsh Shandilya, Advocate
For the State	:	Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner is apprehending his arrest in a case
registered for the offences punishable under Section 406 of the
Indian Penal Code and Section 138 of the N.I. Act.

3. Learned counsel appearing on behalf of the
petitioner submits that petitioner is a person with clean
antecedent and the complainant alleges that she owns a shop
which was given on rent to the petitioner in which he runs a
mutton shop, further in the month of July, 2021, the complainant



had given a friendly loan of Rs.1,00,000/- to the petitioner and the petitioner had agreed to return the same by 30.10.2021 along with dues of the rent. It is next alleged that in November, 2022, the petitioner had issued a cheque of Rs.1,00,000/- in favour of the complainant but the same on presentation for encashment bounced. It is also submitted that from perusal of the allegation, it would manifest that *prima facie* no offence under Section 406 of the Indian Penal Code is made out. It is next submitted that offence under Section 138 of the N.I. Act is bailable. It is also submitted that, in the event, if the complainant is able to prove his case in the learned trial court with regard to bouncing of cheque, the petitioner will suffer the consequences.

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

5. Considering the submissions made by learned counsel for the petitioner, let petitioner, above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail 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 trial court where the case is pending/Successor Court in connection with Complaint Case



No.1016(c)/2023, subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Sanjay/-

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