

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69223 of 2025

Arising Out of PS. Case No.-219 Year-2024 Thana- DARBHANGA District- Darbhanga

Gopal Kumar Jha @ Gopal Ji Jha Son of Sri Ram Narayan Jha Resident of
Village-Kathwar P.S- Manigachhi. District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Sagar Thakur S/O Late Bhola Thakur R/O Vill Manjhora P.S. Bahera
District Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arjun Kumar, Adv.
For the State	:	Mr.Yogendra Kumar, APP
For O.P. No. 2	:	Mr. Kedar Jha, Adv.

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

ORAL ORDER

4 23-12-2025 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Town P.S. Case No. 219 of 2024, registered for the offences
punishable under Sections 316(2), 318(4), 115(2), 126(2), 351(2) and
352 of the BNS and Section 138 of N.I. Act but a cognizance has
been taken under Sections 316(2), 318(4), 115(2), 126(2), 351(2) and
352 of the BNS.

3. According to allegation, the petitioner took a sum of Rs.
3 lakhs from the informant. The petitioner handed over a cheque to
the informant, which was subsequently dishonoured.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in this
case. He has further submitted that as a matter of fact, the informant



was to construct a godown for the petitioner, in lieu thereof the petitioner issued a cheque in favour of the informant, however, the godown was not constructed in accordance with the terms and conditions of the contract. He has also submitted that no cognizance has been taken under Section 138 of the N.I. Act.

5. On the other hand, learned APP for the State and learned counsel for the opposite party no. 2 have opposed the prayer for bail.

6. The main allegation against the petitioner is that he issued a cheque which was dishonoured by the bank. However, no cognizance has been taken under Section 138 of the N.I. Act. The petitioner is a person of clean antecedent.

7. Considering the above-mentioned facts and circumstances, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Darbhanga in connection with Town P.S. Case No. 219 of 2024 , subject to the conditions as laid down under Section 438(2) of the CrPC/482(2) of the BNSS, 2023.

(Nawneet Kumar Pandey, J)

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