

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65092 of 2024

Arising Out of PS. Case No.-1262 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Pankaj Kumar Son of Baban Sah @ Baban Singh Village- Sonrapur,
Bhagarua Chatty, ward no. 12, P.S.- Kesariya, Distt.- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raj Kumar Sah Son of Nagendra Sah R/O Vill.- Patpariya, Moran, P.S.-
Muffasil, Dist.- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Ranjeet Patel, Adv.
For the Opposite Party/s :	Mr. Raj Ballabh Singh, Adv.
	Mr. Vijay Shankar Shrivastava., Adv.

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

5 22-03-2025 Heard learned counsel for the petitioner,

learned counsel for the complainant and learned

A.P.P. for the State.

2. The instant application for anticipatory
bail has been filed by the petitioner apprehending
his arrest in a case instituted for the offence
punishable under Sections 420, 406, 323, 504 of
the Indian Penal Code and Section 138 of the N.I.
Act. Learned Magistrate took cognizance u/s 406 of
Indian Penal Code and Section 138 of N.I. Act.

3. The prosecution's case, in brief, is that
on the alleged date, the petitioner, along with his



friend Navin Kumar, visited the complainant's house and borrowed ₹3,50,000 (three lakh fifty thousand rupees) on the pretext of purchasing a piece of land, promising to return the amount by April 2020. It is further alleged that the petitioner issued a cheque of SBI Bank (Cheque No. 527535) of denomination of ₹3,49,000 (three lakh forty-nine thousand rupees) to the complainant. However, after the promised period elapsed, when the complainant deposited the cheque in the bank, it got bounced due to insufficient funds. Subsequently, when the complainant visited the petitioner's house to demand his money, the petitioner allegedly refused to return the money and misbehaved with him.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

5. In pursuance to the direction of this Court, both parties appeared before the Mediation



Centre. From perusal of Mediator's Report dated 20.03.2025 (kept at Flag 'N'), it is evident that the dispute between the parties has been resolved amicably.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Complaint Case No. 1262 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Motihari, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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