

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71797 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- GORAUL District- Vaishali

1. Sudama Devi W/O Ramjee Singh Resident of Village- Hidayatpur Chakhaji, ward no 2, Bakharidua, P.S- Goraul (Katahara O.P.) Distt.- Vaishali.
2. Ramjee Singh S/O Late Ghamandi Singh Resident of Village- Hidayatpur Chakhaji, ward no 2, Bakharidua, P.S- Goraul (Katahara O.P.) Distt.- Vaishali.
3. Vivekanand Kumar S/O Ramjee Singh Resident of Village- Hidayatpur Chakhaji, ward no 2, Bakharidua, P.S- Goraul (Katahara O.P.) Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar, Adv
For the State : Mr.Dr. Indiwari Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 15-07-2025 Heard learned counsel for the petitioners, learned counsel for the OP. No.2 and learned APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406,420/34 of the Indian Penal Code and section 138 of the N.I Act

3. The allegation in the FIR is that with a view to cheat the informant, the petitioners took some money on the ground of sale of some land. The total amount of money taken by three petitioners was Rs. 7,25,000/- and in lieu of the same, two cheques have been given, which were dishonoured.



4. Learned counsel for the petitioners submits that the FIR itself is very vague in nature as no details of land to be sold and purchased whatsoever has been provided. So far as the bouncing of cheque is concerned, no complaint under section 138 of the N.I Act has been filed separately. However, it has been submitted that no cheque was issued by petitioner no. 1 and some cheques have been snatched away by some unknown persons, which fact had also been reported to the police.

5. Learned counsel for the OP.No.2 however controverts the submission and opposes the grant of anticipatory bail on the ground that the defence of the cheques being stolen would not be of any consequence, as it does not concern the cheques which was given to the informant.

6. At this stage, learned counsel for the petitioner makes an offer that the petitioner would be paying an amount of 25% of the total amount of Rs. 7,25,000/- which would come to Rs.1,80,000/- to the opposite party no. 2.

7. Considering the aforementioned facts and circumstances, I am inclined to grant privilege of anticipatory bail to the petitioners. Accordingly, in the event of their arrest/ surrender within a period of six weeks from today, the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- (ten



thousand)with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Goraul P.S.Case No. 137 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

8. It is also made clear that before accepting the bail bonds of the petitioners, the receipt of payment of Rs. 1,80,000/- would be furnished before the learned court concerned.

(Soni Shrivastava, J)

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