

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67563 of 2025

Arising Out of PS. Case No.-5451 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Raju Kumar Chaudhary Son of Ashok Chaudhary R/o Purnea City, P.S. -
Purnea Sadar, District - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Indrajeet Kumar Son of Sri Shivdutt Rai R/o Village and P.O. - Bahpura, P.S.
- Bihta, Dist. - Patna, at present residing at Somnath Complex Near C.D.A.
Building Behind Durga Mandir, Dist. - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar
For the Opposite Party/s : Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-10-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 406 of the
Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant alleges
that petitioner disclosed about a land that the same belongs to
Kanchan Jaiswal and is for sale and thereafter got an agreement
for sale dated 20.09.2017 executed for 3 katha 5 dhur land and
an amount of Rs.2 lacs by way of advance was paid to Kanchan,
thereafter on 25.09.2017 again an amount of Rs. 1 lac was paid



to Kanchan, further in total an amount of Rs.7,80,000/- was paid, thereafter the accused persons informed that they are not interested in selling the land for which the agreement for sale was entered and started showing other land, to which the complainant did not agree and asked for his money back, thereafter Kanchan returned only an amount of Rs.1,50,000/- and three cheques were issued worth Rs.4,80,000/- by the petitioner, which on presentation for encashment bounced.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the complainant. It is next submitted that from perusal of the allegation as alleged in the complaint, it would manifest that the dispute is purely civil to which a criminal colour has been given. It is next submitted that petitioner introduced the complainant to Kanchan who intended to sell her land but later she resiled as such the petitioner in order to establish his bonafide issued the cheques in favour of the complainant on assurance of Kanchan that money would be credited in his account but then the same was not done and the cheques on presentation for encashment bounced. It is next submitted that offences under 138 N.I. Act is bailable and in the nature of allegation as alleged in the complaint, prima facie no offence under the provisions of IPC is



made out. It is also submitted that petitioner will not abscond rather will cooperate in the trial to prove his innocence.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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.5451/2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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