

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66275 of 2025

Arising Out of PS. Case No.-756 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

Akash Kumar S/O Keshaw Singh @ Keshav Kumar R/O Village Ward No. 3,
Raniganj/ Shashtri Nagar, Near- Army Public School, P.S.- Chakia, District-
East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pankaj Kumar S/O Ramnarayan Prasad Yadav R/O Vritpakari, Gopal, P.S.-
Pipra, Dist.- East Champaran

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Adv.
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-09-2025 Heard learned Counsel for the petitioner and learned

APP for the State.

2. The petitioner apprehends his arrest in connection
with Complaint No. C 756/19 (Trial No. 3059/2025) for the
offence registered under sections 406, 420 of the IPC and 138 of
the N.I. Act.

3. As per the complainant, they being friends, for
business purposes, the petitioner took Rs. 3,00,000/- but later,
chose to look the other way. When the complainant demanded
the amount, a cheque of Rs. 1,80,000/- was given but it also got
bounced. Feeling cheated, the case.

4. Learned Counsel for the petitioner submits that due



to some economic crisis, the payment could not be made but he being the friend, is ready to return the amount but submits that the same be allowed to be paid in installment. The contention is that Rs. 50,000/- has been paid.

5. Learned APP for the State, Mr. Jitendra Kumar Singh on the other hand, opposes the prayer for anticipatory bail submitting that nothing is on record to show that Rs. 50,000/- has been paid by the petitioner.

6. Considering the submissions of the parties as also the fact that the petitioner is ready to return the amount, the claim is that he has paid Rs. 50,000/- that is subject to the confirmation by the complainant, in that background, this Court is inclined to grant him the anticipatory bail with the following conditions:

i. he shall be paying Rs. 1,50,000/- by Demand Draft of the local State Bank of India addressed to the informant which shall be released to him after checking the credentials by the concerned Court;

ii. rest Rs. 1,00,000/- shall be paid by him in four equal installments of Rs. 25,000/- each on 10th of every month of October, November, December, 2025 and January 2026;

iii. so far as Rs. 50,000/- is



concerned, if the claim of the petitioner is correct, no further payment is to be made but if it is otherwise, he will be required to pay another Rs. 50,000/- in two installments to be paid in the month of February 2026 and March 2026;

iv. failure to do so, the complainant shall be free to take steps for the cancellation of the bail bond.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran/Concerned Court, East Champaran in connection with Complaint No. C 756/19 (Trial No. 3059/2025) subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

U		T	
---	--	---	--

