

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83572 of 2024

Arising Out of PS. Case No.-619 Year-2023 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Raju Singh Son of Ram Dular Singh Resident of village- Rupī, P.S.- Dinara,
District- Rohtas at Sasaram

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Mithilesh Kumar Son of Late Bhola Singh Resident of village- Mainpura,
Post- Mahuari, P.S.- Kochas, District- Rohtas at Sasaram

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-05-2025 Heard Learned Counsel for the petitioner, Learned
APP for the State and Learned Counsel for complainant.

2. The petitioner is apprehending arrest in connection
with Complaint Case No. 619 of 2023 for the offence
punishable under Sections 420, 406, 120-B, 467 & 471 of the
Indian Penal Code read with section 138 of the N.I. Act.

3. As per the prosecution, it has been alleged by the
complainant that the petitioner has done forgery with him and
sold the tractor after creating forged document consequently, the
tractor was seized by Financer. Thereafter, the complainant
lodged this case against the accused.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel further submits that petitioner has no criminal antecedent. Counsel submits that in complaint case, the demand of cheque of Rs.4,10,000/- (Rupees Four Lakh Ten Thousand) has been bounced about which the petitioner is ready to refund to the complainant within a reasonable period of time, whatever may be fixed by this Court. Counsel submits that cognizance has been taken under Section 420 of the IPC and section 138 of the N.I. Act.

5. Learned Counsel for complainant submits that before the court of Sessions Judge, petitioner was not agreed to provide money within three months and as such, his bail application was rejected. Counsel submits that he is ready to accept the money, but a reasonable time may be fixed in this regard.

6. Learned APP for the State opposes the prayer for bail and submits that the present matter is relating to bounced cheque.

7. As such, this Court without entering into the total dispute, is passing order only relating to the bounced cheque amount i.e. Rs.4,10,000/- (Rupees Four Lakh Ten Thousand).

8. Hence, considering the aforesaid facts and



circumstances, let the above named petitioner, be released on **provisional bail** in the event of arrest or surrender before the Trial Court within a period of six weeks from today on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M, Sasaram, Rohtas at Sasaram, in connection with Complaint Case No. 619 of 2023, subject to the conditions as laid down under Section 438(2) of Cr.P.C.. with further conditions:-

A. The petitioner shall pay to complainant, a Demand Draft of Rs.2,00,000/- (Rupees Two Lakhs) on the day he shall surrender or in the event of arrest before the Trial Court and produce his bail bond.

B. The first installment of Rs.1,05,000/- (Rupees One Lakh Five Thousand) shall be paid to the complainant in the form of Demand Draft after one month.

C. The second installment of Rs.1,05,000/- (Rupees One Lakh Five Thousand) shall be paid to the complainant in the form of Demand Draft one month thereafter.

9. After complete payment of Rs.4,10,000/- (Rupees Four Lakhs Ten Thousand) to the complainant as mentioned above, the Trial Court shall confirm the provisional bail of



petitioner. In case of failure of above conditions, provisional bail granted to the petitioner by this Court shall be cancelled.

10. Accordingly, the present bail application is hereby disposed off.

(Dr. Anshuman, J)

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