

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13119 of 2026

Arising Out of PS. Case No.-1919 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Niraj Kumar S/o- Vansh Mani Rai @ Vansh Mani Mahto @ Vansh Vani Rai
Resident of village- Bindgama, Police Station- Patori, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shashi Kumar Sharma S/o- Late Ram Lolin Sharma R/v- Dharampur
Dakhali Ps- Tajpur Halai OP Dist- Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

6 24-06-2026 Heard Mr. Pramod Kumar Singh, learned counsel for

the petitioner, the state as also Mr. Mahendra Pratap for the

informant.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 1919 of 2022 dated
17.11.2022 for offences under sections 406 and 420 of the I.P.C
and 138 N.I Act.

3. As per the complaint, for a piece of land, the
accused agreed to pay Rs.13,60,000/- as consideration amount,
issued two cheques of Rs.2,00,000/- and Rs.1,50,000/- and
further assured of making rest of the payment. However, while
the two cheques bounced, no further payment made, feeling



cheated, the complaint case.

4. At the outset, learned counsel for the petitioner submits that though certain confusion took place, he is ready to pay the amount. The submission is that subsequently on 29.05.2019 (Rs.2,50,000/-), on 23.10.2019 (Rs.50,000/-), on 21.10.2019 (Rs.1,50,000/-) totalling Rs.4,50,000/- were cleared but the same have not found place in the complaint.

5. Further submission is that he is ready to pay the rest of the Rs. 9,10,000/- in following manner:

(i) Rs. 2,10,000/- at the time of execution of bail bond;

(ii) Rs. 1,00,000/- each, every month for seven months (totalling Rs. 7,00,000/- beginning 10th of August 2026 and ending 10th of February 2027);

(iii) failure to make payment, the complainant shall be free to take steps for cancellation of his bail bond.

6. Though learned counsel for the complainant, who has appeared, disputes certain payments and submits that when he is making payment to the tune of Rs.9,10,000/- reserving his right to take the matter to its logical conclusion in the complaint



petition, if relief is granted to him, he do not have any objection.

7. Taking into account the fair stand taken by the parties, as also that the petitioner is ready to pay Rs.9,10,000/- as recorded above, the complaint is there, he shall be facing the music, in that background, this Court is inclined to extend him privilege of anticipatory bail.

8. It is made clear that failure to abide by the undertaking that has been given by the petitioner, the complainant shall be free to take recourse for the cancellation of his bail bond.

9. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with **Complaint Case No. 1919 of 2022** subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall be appearing before the Police



Station as and when required for cooperating in the investigation;

(iii) 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/her bail bond by the Trial Court itself;

(iv) 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;

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

(Rajiv Roy, J)

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