IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23705 of 2026

CNR No. BRHC010336552026

Arising Out of PS. Case No.-1063 Year-2024 Thana- GAYA COMPLAINT CASE District-Gaya

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Ramanuj Sharma S/O Ramakant Singh @ Ramakant Sharma R/O Village-Maulviganj, P.S.- Pauthu, District- Aurangabad

... ... Petitioner/s

Versus

1. The State of Bihar Bihar
2. Aditya Kumar Bharadwaj S/O Ravindra Sharma R/O Mohalla- Dalmiya Compound, Road NO.- 2 Lakhibagh, P.S.- Muffasil, District- Gaya

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rakesh Singh, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

5 19-11-2026 Heard the learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Complaint P.S. Case No.1063 of 2024, dated 18.07.2024 registered for the offences punishable under Section 406 of the Indian Penal Code.

3. According to prosecution case, on a complaint filed by O.P. No. 2 on 18.07.2024, alleging that the petitioner had borrowed a total sum of Rs. 9 lakhs between 2014 and 2023. Despite executing an undertaking on a non-judicial stamp paper of Rs. 1,000/- to repay the amount within three months, the

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petitioner failed to do so and issued a cheque of Rs. 9 lakhs bearing No. 945396, drawn on State Bank of India, Rafiganj Branch. The said cheque was dishonoured on 21.02.2024 due to insufficient funds. Despite further assurance to repay within 15 days and service of a legal notice dated 20.03.2024, the petitioner neither repaid the amount nor responded to the notice.

4. Learned counsel for the petitioner, by referring to the statement made in paragraph 3 of the supplementary affidavit, submits that the petitioner undertakes to pay Rs.9 lakhs to the O.P. No.2 within a period of nine (09) months from the date of order passed by this Court in equal installments of Rs.2,00,00/- after every two (02) months.

5. On the other hand, learned counsel for the O.P. No.2 agrees with the said proposal along with the caveat that the mode of transfer has not been indicated in the supplementary affidavit.

6. Learned APP for the State opposes the prayer for anticipatory bail application.

7. Considering the aforesaid facts and circumstances, and the fact that the petitioner has agreed to refund a sum of Rs. 9 lakhs in favour of O.P. No. 2, this Court is inclined to grant the privilege of anticipatory bail to the petitioner by directing the

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court concerned to fix equal installments, specify the dates on which the amount is to be refunded to O.P. No. 2, and prescribe the mode of payment, so that the stipulated amount is paid to O.P. No. 2 on the dates so fixed.

8. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya, in connection with Complaint P.S. Case No.1063 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) 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/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or

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

(Ajit Kumar, J)

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