

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29644 of 2026

Arising Out of PS. Case No.-326 Year-2024 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

Santosh Kumar Jha @ Baua Jha Son Of Permanand Jha R/O village Nonaiti,
ward no. - 14, P.S. Basnahi District Saharsha.

... .. Petitioner/s

Versus

1. The State Of Bihar patna
2. Umesh Prasad Sah Son of Laxmi Sah Resident of village Madhepura ward
no. 06 P. S. and District Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

3 13-05-2026 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 Madhepura Complaint Case No. 326 of 2024 registered for the
offences punishable under Sections 318(4), 336(2), 336(3) of the
Bharatiya Nyaya Sanhita, 2023.

3. The allegation has been levelled in the complainant case
that the petitioner owned Rs. 4,60,000/- to the complainant out of
which he paid Rs. 2,15,000/- and on demand of rest of the amount he
started evading the issue finally leading to filing of the instant case.

4. Learned counsel for the petitioner asserts that the case
relates to pure money transaction in which no element of criminality
could be attached specially in view of the fact that he has made part
payment of the money.



5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering that the part payment of money would show that the initial intention could not be alleged to be wrongful, thus, ruling out the application of Section 406 and 420 of IPC, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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 J.M. 1st Class, Madhepura in connection with Madhepura Complaint Case No. 326 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

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