

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26299 of 2026

Arising Out of PS. Case No.-505 Year-2023 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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1. Ritesh Kumar Bajpayee S/O Ratan Bajpayee R/O Flat no.- 207, Premkunj Apartment Block - B, Road no.-10, P.S.- Indrapuri, P.O.- Keshari Nagar, Patna, Bihar-800024.
 2. Lav Kumar Mandal S/O Basudev Mandal Simatand Basti, Near ACC Sindri, ACC Sindri, P.O and P.S- Sindri, Dhanbad, Jharkhand- 828122.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kishore Kumar R/O Village- Bathnaha, P.O and P.S- Alauli, Distt.- Khagaria (848203).

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Shubhankar Raj, Advocate
		Mr. Amartya Raj, Advocate
For the State	:	Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-06-2026 Heard Mr. Shubhankar Raj, learned counsel appearing on behalf of the petitioners and Mr. Umeshanand Pandit, learned APP appearing on behalf of the State.

2. Despite valid service of notice, no one appears on behalf of the complainant/Opposite Party No. 2.

3. The petitioners apprehend their arrest in a complaint case registered for the offence punishable under Sections 406 and 420 of the Indian Penal Code.

4. As per prosecution case, Petitioner No. 1, who is owner of a college mess and Petitioner No. 2, who is manager of



the said mess, induced the complainant to supply LPG cylinders on credit on assurance of monthly payment, however, after taking supply of cylinders worth Rs. 2,69,064/-, the petitioners issued a cheque of Rs. 50,000/- which got dishonored and thus, the petitioners cheated the complainant and caused monetary loss.

5. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. As a matter of fact, the actual dues is of Rs. 2,14,955/- and out of the same, petitioners have already paid Rs. 50,000/- on 31.03.2023 and Rs. 50,000/- on 15.04.2023 thorough Phonepe to Mobile No. 9570881094, registered in the name of complainant/Opposite Party No. 2 and further, Rs. 50,000/- was paid through cash on 20.04.2023. It is further submitted that dispute is purely civil in nature and none of the acts, allegedly committed by these petitioners, would give rise to any criminal liability. However, it is submitted that at this stage, without admitting their guilt, petitioners are ready to deposit the actual outstanding amount, amounting to Rs. 64,955/-. Petitioners claim clean antecedents.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the



petitioners.

7. Considering the facts and circumstances of the case, nature of accusation, aforesaid undertaking of the petitioners and clean antecedents, the prayer for grant of anticipatory bail to the petitioners is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Khagaria in connection with Complaint Case No. 505C of 2023, subject to condition as laid down under Section 482(2) of the B.N.S.S., along with the following terms and conditions:

- “A. At the time of furnishing bail-bond, Rs. 64,955/- (Sixty-four thousand nine hundred and fifty five rupees), shall be deposited through demand draft in the Nazarat of the Civil Court, Khagaria.
- B. The aforesaid payment shall be subject to the final outcome of the case.
- C. If petitioners fail to comply the aforesaid direction of this Court, the learned Trial Court is free to cancel the bail-bond of the petitioners.”

9. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the



purpose of grant of bail.

(Prabhat Kumar Singh, J)

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