

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25653 of 2026

Arising Out of PS. Case No.-332 Year-2025 Thana- Madhubani T District- Purnia

Nisar Haidar Son of Sheikh Nasim Uddin Resident of Village- Bharasia,
Jhagruchak, P.S.- Falka, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Singh, Advocate
For the State	:	Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 01-05-2026 Mr. Sanjay Kumar Singh, learned counsel for the
petitioner is permitted to make necessary correction in
paragraph-8 of the bail application in course of day.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Madhubani P.S. Case No. 332 of 2025 in a case
registered for the offence punishable under Sections 316(2),
318(4), 351(2), 352 of the BNS.

4. As per the prosecution case, the petitioner
fraudulently induced the informant to pay Rs. 3,70,000/- for a
Hyundai Car that was never delivered subsequently issuing
dishonored cheques and failing to refund the amount.

5. Learned counsel for the petitioner submits that the
dispute in the present case relates to an amount of Rs. 3,50,000/-



and it would appear from the first information itself that the informant claims to have paid this amount in cash and only Rs. 20,000/- was paid by way of the mobile phone. The FIR also discloses that the vehicle was returned to the petitioner on account of which the petitioner asserts that he had paid the amount of Rs. 3,50,000/- back to the informant by cash. However, a cheque earlier given to the informant has been misused by presenting the same and getting it bounced. It has also been submitted that the present case has been filed as counter blast of the complaint filed by the present petitioner against the informant with regard to threatening etc. It has also been pointed out that with regard to bouncing of cheque, the wife of the informant has already filed a complaint bearing C.A. No. 4518 of 2025 (Annexure-3) under Section 138 of the N.I. Act, in which the petitioner undertakes to cooperate.

6. Learned APP for the State has opposed the application for anticipatory bail.

7. Taking into consideration the facts and circumstances and also considering the fact that for bouncing of cheque, complaint case under the N.I. Act has already been filed, let the above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of four weeks



from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Madhubani P.S. Case No. 332 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

8. However, the petitioner is directed to appear in the complaint case bearing C.A. No. 4518 of 2025 and cooperate in the said case failing which the informant shall be at liberty to file an application for cancellation of the present bail.

(Soni Shrivastava, J)

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