

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44298 of 2026

Arising Out of PS. Case No.-2769 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Manjay Chaudhary @ Manjay Kumar Chaudhary Son of Mahendra Chaudhary Resident of Village- Dhamauli Ramnath, P.S.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pankaj Kumar Son of Ramchandra Sah Proprietor Prasad Gramodhyog, Resident of Prasad, P.S.- Minapur (Panapur O.P.), District- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Adv.
For the Opposite Party/s : Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Complaint Case No.2769 of 2018, registered for the offence punishable under Sections 406 of the Indian Penal Code.

3. Learned APP at the outset submits that from perusal of the anticipatory bail application, it manifests that petitioner is seeking anticipatory bail in Complaint Case No.2769 of 2018, under Section 460 of the Indian Penal Code, on which, the learned counsel appearing on behalf of the petitioner submits that cognizance has been taken under Section 406 of the Indian



Penal Code and summons have been issued, on which, the learned APP submits that since summons have been issued as such the petitioner based on summons, must appear before the learned trial court, the petitioner will not be arrested rather will join the proceeding before the learned trial court and for the said submission, relies on an order of the Hon'ble Supreme Court, in *Special Leave to Appeal (Crl.) No.16221/2025 (Om Prakash Chhawnika @ Om Prakash Chabnika @ Om Prakash Chawnika Vs. The State of Jharkhand & Anr.)* disposed of by an order dated 23.04.2026 and relies on Para-8, 9 and 10 of the said order.

4. Learned counsel appearing on behalf of the petitioner at this stage submits that till date non-bailable warrant of arrest has not been issued against the petitioner and the petitioner has been falsely implicated in the instant case with an allegation that petitioner after receiving money did not supply the wheat nor returned his money back and gave a Cheque of Rs.1,00,800/- of S.B.I. M.I.T. Branch, having Cheque No.787681, which on presentation for encashment bounced. It is fairly submitted that since summons have been issued, as such petitioner ought to have appeared before the learned trial court and joined the proceeding.



5. After hearing the learned counsels for the parties, the anticipatory bail application is disposed of with a liberty to the petitioner to appear before the learned trial court on or before 30.07.2026, with a copy of the order dated 23.04.2026, passed in Special Leave to Appeal (Crl.) No.16221/2025 (Om Prakash Chhawnika @ Om Prakash Chabnika @ Om Prakash Chawnika Vs. The State of Jharkhand & Anr.) and the learned Trial Court shall proceed strictly in accordance with the order of the Hon'ble Supreme Court.

(Satyavrat Verma, J)

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