

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62184 of 2025

Arising Out of PS. Case No.-830 Year-2023 Thana- COMPLAINT CASE - PATNA CITY
District- Patna

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Vicky Kumar Jha @ Vicky Kumar S/o Shri Krishna Kant Jha @ Krishan Kumar Jha Resident Of Village-Bhardhai, P.o-Bhardha, P.s-Babubhari, (Andhrakhari), District-Madhubani, Bihar. At P/A- Vastu Vihar, Shahapur Chhaka, Phase-I, kaveri 35, Ps- Mabbi, Po- Lal Shahpur, Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Awadhesh Roy Son of Late Hitnarayan Roy Resident Of Village-Mishrawalia Via Natwar, Po- Saraon, Dist- Rohtas At P/A- Mohalla- Rajeev Nagar, Road No. 18, II-B, Ps- Rajeev nagar, Post- Keshri Nagar, Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Prabhat Kumar Singh, Advocate
For the State	:	Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 08-01-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a complaint case registered for the offence punishable under Sections 406 and 420 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

3. It is a case of cheque bounce. As per complaint petition, the complainant alleged that under the guise of executing contractual works, this petitioner dishonestly induced the complainant to part with a substantial sum of money on



various occasions and thereafter, despite repeated assurances, the petitioner failed to fulfill the obligations and issued two cheques amounting to Rs. 10,00,000/- each, for repayment of the same, which got dishonoured on presentation and thus, this petitioner cheated the complainant and breached his trust causing wrongful loss to him and taking unlawful gain to himself.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner denies his signature on the alleged agreement dated 04.08.2021. As a matter of fact, not a single penny has been transferred from the account of the complainant into the bank account of this petitioner. However, it is submitted that at this stage, without admitting his guilt, petitioner has paid Rs. 12,00,000/- (Twelve lakh rupees) and is ready to deposit the rest of the amount allegedly transferred in the account of this petitioner, amounting to Rs. 8,00,000/- (Rupees eight lakh), in easy installments. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.



6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, clean antecedents and aforesaid undertaking of the petitioner, prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna City, Patna in connection with Complaint Case No. 830C 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. 4,00,000/- (Rupees four lakh) shall be deposited through cash in the Nazarat of the Civil Court, Patna.

B. Rest amount i.e. Rs. 4,00,000/- (Rupees four lakh) shall be deposited in the Nazarat of Civil Court, Patna in two equal installments within a period of six months from the date of furnishing bail-bond.

C. The aforesaid payment shall be subject to the final outcome of the case.

D. If petitioner fails to comply the aforesaid direction of this Court, the learned Trial Court is free to cancel the bail-bond of the petitioner.”

8. 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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