

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75873 of 2025

Arising Out of PS. Case No.-1397 Year-2024 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Rakesh Kumar @ Rakesh Kumar Singh Son of Kamdeo Singh R/o Vill - Belma, P.O. - Nagariyawan, P.S. - Khizersarai. presently residing at Kamdeo Singh Bhawan(Belma Niwas) House no. GE0022143 Vishnu Bihar Near Jagjivan College, P.O. - Buniyadganj, P.S. - Muffasil, Dist. - Gaya, 823003.
 2. Khusboo Singh W/o Rakesh Kumar R/o Vill - Belma, P.O. - Nagariyawan, P.S. - Khizersarai. presently residing at Kamdeo Singh Bhawan(Belma Niwas) House no. GE0022143 Vishnu Bihar Near Jagjivan College, P.O. - Buniyadganj, P.S. - Muffasil, Dist. - Gaya, 823003.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinki Devi W/o Rakesh Ranjan R/o Village - Bairka, P.O. - Bairka, P.S. - Gehlor, Dist. - Gaya.
3. Rinki Devi Wife of Rakesh Ranjan R/o Vill. - Bairka, P.O. - Bairka, P.S.- Gehlor, Dist. - Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate
For the State : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 12-03-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Complaint Case No. 1397 of 2024 instituted under Sections 318(4) of the Bharatiya Nyaya Sanhita and Section 138 of the NI Act.

3. The petitioners are accused of cheating the complainant of Rs. 15 lakhs, the amount for which the cheque



has bounced.

4. Learned counsel for the petitioners, on instruction from the petitioners has submitted that the petitioners are ready to pay the admitted dues of Rs. 10,85,000/- to the opposite party no. 2/complainant within one month from today.

5. Learned counsel for the opposite party no. 2 has no objection to the offer made by the petitioners.

6. In view of the above, this application is allowed.

7. Let the petitioners, above named, in the event of arrest or surrender before the Court below within four weeks from today, be released on ***provisional anticipatory bail*** upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Gaya/ concerned Court in connection with Complaint Case No. 1397 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

8. This is subject to the condition that at the time of surrender, the petitioners will produce a demand draft of Rs. 2 lakhs issued in favour of the complainant within two weeks. If such demand draft is produced in the Court below within the stipulated time, their bail bonds shall be accepted. Thereafter,



within next two weeks, the petitioners shall produce a demand draft of Rs. 9 lakhs in favour of the complainant in the Court below. If such demand drafts are produced in the Court below, the Court below will confirm the *provisional anticipatory bail* granted to the petitioners.

9. The demand draft as and when deposited in the Court below shall be released in favour of the complainant.

(Sandeep Kumar, J)

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