IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77165 of 2026

CNR No. BRHC011127592026

Arising Out of PS. Case No.-92 Year-2026 Thana- Mahadeva P.S. District- Siwan

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Umesh Kumar Pandey @ Umesh Pandey S/O Late Rishideo Pandey R/V- Bhikhrampur, PO- Dangsi, PS- Dighwalia, Distt- Gopalganj(Bihar), Currently residing at Near Bai Saguphata Naaz Clinic, Chakiya Road, PS- Mahadeva, Distt- Siwan(Bihar)

... ... Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Kumar Singh S/O Chhabila Singh R/V- Pithauri, PO- Aghaula, PS- Dhanauti, Distt- Siwan, Bihar-841436

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vikas Ratan Bharti, Adv.
Mr. Kumar Abhishek, Adv.
Mr. Deepak Kumar, Adv.
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-11-2026 Heard learned Counsel for the petitioner, the State as also the informant.

2. The petitioner apprehends his arrest in connection with Mahadeva P.S. Case No. 92 of 2026 for the offence registered under sections 318(4), 338, 336(3), 352, 3(5) of BNS and Section 138 of Negotiable Instruments Act lodged on 15.05.2026 by the informant, Sanjay Kumar Singh.

3. As per the prosecution story, the informant along with his friend/relatives wanted to purchase land in Gomtinagar, Lucknow. The petitioner and his son represented themselves as property dealer and assured to provide plots at a cheaper rate near

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the expressway. Believing the words, the informant paid amount to the tune of Rs. 3.70 crore through various bank accounts/cash on behalf of the informant/friends/relatives. However, nothing sort of transfer of plots took place and on 04.02.2026, when the informant along with his friends/relatives went to the residence of the petitioner, they executed a bond of Rs. 1100/- acknowledging the amount receipt and undertook to return the same in the installment of Rs. 74,00,000/- each between February to June, 2026.

4. The allegation is that the petitioner and his son issued cheques towards repayment which upon presentation was bounced as the stop payment instruction was there and the signatures were also forged. Feeling cheated, the FIR.

5. Learned Counsel for the petitioner submits that their counter version is also there according to which, all the documents which the informants are producing have been taken by them after putting a pistol upon the two petitioners. They filed the complaint which turned into Mahadeva P.S. Case No. 91 of 2026 which is of the same day. No such amount was taken/assurance given and in any case, the informant should move before a Competent Civil Court for the redressal of the grievance.

6. Learned counsel for the informant on the other hand opposes the prayer for bail submitting that Rs. 3.70 crore was taken which he paid on behalf of not only himself, it was taken

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from his relative/friends who are also pressurizing him to make the payment or to get the plot. He accepted the petitioner's version and paid the amount. They executed the bond and also issued cheques which bounced, as recorded above. In that background, they don't deserve bail.

7. Considering the submissions of the parties aforesaid as also the role that has been played by the petitioner and the fact that in the FIR lodged by him, the petitioner claims that he is serving with the counsels in the Patna High Court clearly show that he faked himself along with his son as a property dealer and in the process, accepted huge amount to the tune of Rs. 3.70 crore from the informant/friends/relatives.

8. The subsequent act of giving cheques of Rs. 74,00,000/- each between February to June, 2026 also bounced on two accounts i.e. stop payment and forged signature which clearly show their intention.

9. In that background, the petitioner do not deserve relief, the anticipatory bail application stands rejected.

(Rajiv Roy, J)

Vijay Singh/-

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