

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84293 of 2025

Arising Out of PS. Case No.-985 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Avinash Kumar Singh S/O Dipnarayan Singh C/o- Ramcharan Sharan @ Chintu Singh, resident of - Postal Park, Road No. 5 A, Indra Nagar, Ram Vilas Chowk, Near Shiv Parvati Community Hall, Post-GPO, P.S.- Jakkanpur, District Patna, Bihar, Permanent Address- Village and Post-Chanda Kevatia, P.S.- Bihiya, District- Bhojpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Puja D/O- Bhanu Pratap Singh Resident of opposite JKMT Inter High School, Mahatma Gandhi Marg, Ward No. 21, Khagaria, P.O.and P.S.- Khagaria, District- Khagaria, Current Address Purani Bus Stand, Mithapur, P.S.- Jakkanpur, District- Patna, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pranoy Kumar, Advocate
For the Opposite Party/s	:	Mr. Brajendra Nath Pandey, APP
For the Informant	:	Mr. Arbind Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 3 30-03-2026 Heard Mr. Pranoy Kumar, learned counsel for the petitioner, Mr. Brajendra Nath Pandey, learned Additional Public Prosecutor for the State as well as Mr. Arbind Kumar Singh, learned counsel for the Informant.

2. Petitioner seeks bail who is in custody since 19.08.2025 in connection with Complaint Case No. 985(c) of 2023 dated 28.01.2023 for the offences punishable under Sections 406 of Indian Penal Code and 138 of N.I. Act.

3. According to prosecution case, it is alleged that complainant gave Rs.20,17,000/- to the petitioner and his



brother for the purpose of their business and marriage of their sister. It was promised that money will be returned by 20.12.2022 and agreement dated 25.09.2021 was also executed between the parties. Further, it is alleged that despite several demands only Rs.17,000/- was returned and one cheque of Rs.5 lakh was given. The said cheque was deposited in bank it was bounced as signature was not matched.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is false and fabricated. Infact the brother of the complainant, namely, Abhishek Kumar had taken loan from complainant and the petitioner had only given undertaking that in case, the said Abhishek Kumar did not return the loan amount, the family members of the petitioner will try to return the amount to the complainant. It is next submitted that except the aforesaid, there is no other allegation against the petitioner and the petitioner is in custody since 19.08.2025.

5. The learned Additional Public Prosecutor for the State as well as learned counsel for the Complainant have vehemently opposed the prayer for bail of the petitioner and submits that petitioner has given undertaking to the extent that



petitioner shall return the amount in question.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and he did not take any amount from the complainant and he had given only undertaking on behalf of his family members, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-XI, Patna in connection with Complaint Case No. 985(c) of 2023, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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