

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90852 of 2025

Arising Out of PS. Case No.-444 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Rohit Kumar @ Ghanshyam Bharti Son of Ambika Bharti @ Munshi Giri
Resident of Village - Sinkandarpur (Near Shiv Mandir), Police Station -
Shahpur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Yugal Kishore Singh Son of Sukhdeo Singh Resident of Mohalla - Gur Ki
Mandi, Police Station - Alamganj, P.O.- Gulzarbagh, District - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ayush
For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 27-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 406 and 420 of the Indian
Penal Code and Section 138 of the N.I. Act.

3. As per the complaint, the petitioner entered into an
agreement with the complainant and complainant gave about
Rs. 38 lakhs to the petitioner. It is alleged that the petitioner
gave several cheques to the complainant and all of them got
bounced due to insufficient fund.

4. Learned counsel for the petitioner has submitted
that the present case relates to financial transaction between the
petitioner and the complainant on account of an agreement with



regard to sale of land for which Rs. 38 lakhs in total was given to the petitioner. However, Annexure-p/3 which is an agreement between the parties has been pointed out wherein it has been stated that Rs. 33 lakhs is being returned to the opposite party no. 2. and the petitioner is even ready to return rest Rs. 5 lakhs to the opposite party no. 2. Further, the petitioner is in custody since 23.09.2024.

5. Learned counsel for the opposite party no. 2, however, opposes the bail application on the ground that he still denies to have received such payment. It is further submitted that the petitioner has several other criminal antecedents. In response, it is submitted that the petitioner is on bail in the other cases.

6. Taking into consideration the facts and circumstances and also considering the fact that the matter involves financial transaction for which recourse can be taken to alternative civil remedies, further the petitioner is in custody 23.09.2024 and the case is pending on before charge evidence, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in



connection with Complaint Case No. 444 of 2016, subject to the conditions that the petitioner shall cooperate in the conclusion of trial by appearing on each and every date till conclusion of trial and if the petitioner does not appear on two consecutive dates without any substantial and satisfactory reason, the learned court below would be at liberty to cancel his bail bonds.

(Soni Shrivastava, J)

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