

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89410 of 2025

Arising Out of PS. Case No.-222 Year-2018 Thana- KATIHAR NAGAR District- Katihar

Nandu Kumar @ Nandu Gupta S/o Shiv Narayan Shah R/o House No.-1469,
Deep Complex, Hallo Majra, Dist- Chandigarh, 160002.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vidyanand Gupta S/o Late- Anandi Sah R/o Village- Bazar Samiti,
Teengachiya, P.S- Katihar, Dist- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Kathihar P.S. Case No. 222 of 2018 registered for the offence punishable under Sections 406, 420, 467 and 468 of the Indian Penal Code.

3. The case of the prosecution in short is that there was a business transaction between the complainant and the petitioner. The petitioner has taken maize worth Rs. 50,62,506/-. It is further alleged that he has paid only Rs. 35,46,319/- and has not paid the remaining amount, i.e., Rs. 15,88,187/-. It is further alleged that he has issued a check for Rs. 50,000/- those checks



were dishonored due to insufficiency of funds in the account.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner submits that it is a case of a business transaction between the parties, and as per his calculation, only Rs. 50,000/- is remaining with him. It has further been submitted that the informant has never filed under Section 138 of the NIA Act; this falsifies his averment in the complaint that the petitioner has issued two checks. It has also been submitted that this is a dispute between business transactions, which can be settled by proper accounting from both sides. He also submits that the petitioner is ready to pay Rs. 50,000/- and is also ready for proper accounting and settlement of the case. He further submits that the petitioner is languishing in judicial custody since 03.06.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of three cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail **with a condition that**



the petitioner shall pay Rs. 50,000/- within a month, after being bailed out. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-II, Katihar in connection with Kathihar P.S. Case No. 222 of 2018.

7. Learned trial court is directed to send the case for mediation.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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