

Arising Out of PS. Case No.-95 Year-2024 Thana- Madhubani T District- Purnia

Arising Out of PS. Case No.-95 Year-2024 Thana- Madhubani T District- Purnia

Vimlendu Kr. Singh @ Bimlendu Singh @ B.K. Singh S/O Jayendra Kumar
Singh R/O Laxmipur, P.S.- Barhara Kothi, Dist- Purnia. Petitioner/s
Versus

1. The State of Bihar.
2. Pratima Devi W/o- Shankar Deo Jha, R/O- Shashtri Nagar, Sipahi Tola, Ward No. 3, P.S.-Madhubani, Dist- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar Singh No. 1, APP
for the Informant	:	Mr. Amarnath Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

9 19-01-2026 Heard learned counsel appearing on behalf of the
petitioner, learned Additional Public Prosecutor appearing on
behalf of the State and learned counsel appearing on behalf of the
informant.

2. The accused/petitioner apprehending his arrest in connection with Madhubani P.S. Case No. 95 of 2024 registered for the offences punishable under Sections 316(2), 318(4) of Bhartiya Nayay Sanhita.

3. As per FIR, petitioner alleged to cheat informant and her daughter to the tune of Rs. 16 lacs, where it appears that the initial demand for money was made as a loan to return the same within 2-3 months. It also alleged that the cheque which was given on 26.08.2024, on presentation before the bank concerned was



dishonoured on 27.08.2024 in want of sufficient fund.

4. It is submitted by Mr. N.K. Agrawal, learned senior counsel appearing on behalf of the petitioner that primarily the dispute appears civil in nature. It is also submitted that in fact the transaction was limited with Rs. 6 lacs, which petitioner is ready to pay at any point of time. It is also submitted that a separate case was filed by daughter of the informant also with same allegation. In this context, it is submitted that proceedings in actual be initiated under Section 138 of the Negotiable Instrument Act for dishonoring of the cheque but instead of same, straightway present FIR was filed, which is completely unwarranted and unoccassioned.

5. While arguing further, it submitted by Mr. Agrawal that the informant/complainant may take steps in civil side to recover the payment over 6 lacs, if it was made genuine to this petitioner.

6. Learned APP, duly assisted by learned counsel Mr. Amarnath Jha, appearing on behalf of the informant, while opposing the prayer of bail submitted that in actual the payment was made total of Rs. 16 lacs by the informant and her daughter but as the original bond given by petitioner to the informant and her daughter was collected by him, informant is not in position to



place the same before the court.

7. In view of aforesaid factual submissions and by taking note of fact as primarily dispute appears civil in nature, related with recovery of loan as given by the informant to the petitioner, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Sessions Judge-III, Purnea/concerned Court, where the case is pending in connection with Madhubani P.S. Case No. 95 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

veena/-

U		T	
---	--	---	--

