

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-II, GAYA

ANTICIPATORY BAIL PETITION NO. 338 OF 2026

Arising out of Complaint Case No. 587 of 2024

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Avinash Kumar son of Rajendra Sharma,

R/o.-Village-Mandaul, P.S. Chakand, District-Gaya

----- Accused Petitioner

VERSUS

The State of Bihar

----- Opposite Party

Present:- Nalin Kumar Pandey

11.03.2026

1. This anticipatory bail application has been filed on behalf of above named accused petitioner who is apprehending his arrest in connection with Complaint Case No. 587 of 2024, Trial No.2320 of 2025 registered for the offence under Section- 420 I.P.C.

2. Sri Kumar Vishal, the learned counsel has appeared to move this anticipatory bail prayer. The prosecution is represented by the Addl. Public Prosecutor.

3. The learned defence counsel has submitted that the dispute is of commercial nature in which petitioner had paid all the amount including due amount due to bouncing of the check issued by the petitioner. On these grounds a prayer has been made for grant of Anticipatory bail to the accused petitioner.

4. The case of complainant in brief is that, he lodged complaint case against accused Avinash Kumar. It is alleged that the complainant had purchased a business class vehicle Toyota Innova bearing registration no. UP 65 ET 6601 from one Raju Kumar Singh through a transfer deed/ agreement dated 15.09.2019 but he could not get his name transferred in the ownership document of the vehicle. Thereafter complainant sold the said vehicle to petitioner for a consideration amount of Rs. 6,90,000/- on 26.09.2023. Out of the said amount, the complainant received Rs.5,40,000/- through cash and bank and for the remaining due amount of Rs.1,50,000/- a cheque was given to complainant. Finally on assurance of accused, he presented the cheque in bank on 29.03.2024 but the same was dishonoured due to insufficient amount. Subsequently a legal notice was sent to the accused petitioner by complainant on 23.04.2024 but no reply was received from accused side.

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5. Heard the Ld. A.P.P. and the Ld. Counsel of defence and perused the case record. Petitioner, who was called to be present in the Court, has submitted that although the due amount is a part of the bouncing of cheque but the same has already been paid to the owner of the vehicle through Mr. Gyan Singh. That in complying proceeding of transfer at Banaras, the same amount was spent by him. Therefore, any due amount is not outstanding against the petitioner. There is not any criminal antecedent found against the petitioner. Moreover the dispute is regarding bouncing of cheque. Prima facie any criminal case is not made out against the petitioner. It is purely a civil nature of dispute based on bouncing of cheque in complaint case.

6. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the accused petitioner. If the accused petitioner appears before the learned original Court within a period of four weeks from the date of receipt of the order to the trial court, he shall be released on bail on furnishing bail bond of Rs 10,000/- with two sureties of like amount each to the satisfaction of the trial court with the statutory conditions particularized u/s 482 (2) of the B.N.S.S.

The prayer for anticipatory bail is hereby **allowed**.

Sd-

(Nalin Kumar Pandey)

Additional Sessions Judge-II, Gaya

11.03.2026