

In the court of the 1st Addl. Sessions Judge, Sitamarhi.

Anticipatory Bail Petition No. 1009/2026

Prashant Kishore Jha..... Petitioner.

Versus

State of Bihar O.P.

ORDER.

21.08.2026.

1. Heard the learned counsel for the petitioner and the State. The petitioner, **Prashant Kishore Jha @ Prashant Kumar Jha**, has filed an anticipatory bail application apprehending his arrest in connection with Complaint Case No. 4/2026, registered Under Section 316(2) B.N.S. and Section 138 of the N.I. Act.

2. The substance of the complaint is that the complainant alleged that he had entered into negotiations with the petitioner for purchase of his land measuring about 13.5 decimals for a consideration of Rs.60,00,000/-. It is alleged that on 10.04.2025 the complainant paid a sum of Rs.60,00,000/- to the petitioner and the petitioner assured him that the land would be transferred by 25.09.2025. It is further alleged that when the complainant approached the petitioner on 25.09.2025 for execution of the sale deed, the petitioner refused to execute the same and, towards repayment of the alleged amount, issued cheques of different amounts, including cheques allegedly drawn on Indian Bank. One of the cheques for Rs.4,98,000/- is stated to have been dishonoured on account of mismatch of signatures. On the basis of the complaint petition, the statement of the complainant on solemn affirmation and the statements of the witnesses, cognizance has been taken and the case is pending before the learned Chief Judicial Magistrate, Sitamarhi.

3. Submissions on behalf of the Petitioner:- Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated. It is contended that the petitioner never entered into any transaction with the complainant in respect of the alleged land and never received the alleged amount of Rs.60,00,000/-. It is further submitted that the petitioner has not issued any of the cheques relied upon by the complainant and that the alleged cheques do not pertain to the bank account of the petitioner. It is also submitted that there is no written agreement or other reliable document showing any transaction between the petitioner and the complainant. Learned counsel further submits that the material witnesses cited by the complainant are closely related to him and that there are material inconsistencies in the complaint petition and the statements of the witnesses. It is also submitted that the petitioner has been working at Perfect Diagnosis Centre, Delhi, since 2020 and there is no likelihood of his absconding or evading the process of law. It is lastly submitted that the petitioner has no criminal antecedent, this is his first application for anticipatory bail, and he is ready to cooperate with the proceedings and to abide by any condition imposed by this Court.

4. Learned Additional Public Prosecutor has vehemently opposed the prayer for anticipatory bail.

5. Consideration:- Having considered the rival submissions and the materials available on record, it appears that the allegations arise substantially out of an alleged monetary/land

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transaction between the parties. The allegations regarding issuance and dishonour of the cheques, the ownership of the alleged bank account and the genuineness of the signatures are matters which can appropriately be adjudicated during the trial on the basis of evidence. At this stage, without expressing any opinion on the merits of the case, this Court also takes into consideration that the petitioner claims to have no criminal antecedent, the present application is stated to be his first bail application, and there is no material before this Court at this stage to indicate that his custodial detention is indispensable for the purpose of the proceedings.

The petitioner has also undertaken to cooperate with the learned court below and to comply with all the conditions imposed by law. Accordingly, having regard to the facts and circumstances of the case, this Court is of the considered view that the petitioner deserves the privilege of anticipatory bail. Complainant has alleged about giving Rs 60 Lacs in case, a fact which does not seem realistic. Beside there is no clarify about land for which arose.

6. ORDER:- Accordingly, the anticipatory bail application is allowed. The petitioner, **Prashant Kishore Jha @ Prashant Kumar Jha**, shall be released on bail in connection with Complaint Case No. 4/2026, corresponding to the offences under Section 316(2) of the B.N.S. and Section 138 of the Negotiable Instruments Act, on furnishing bail bond of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi, subject to the conditions prescribed under the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dictated & corrected)

Sd/-

(Rajiv Kumar),

District & Addl. Sessions Judge I,
Sitamarhi.

Dated:- 21.08.2026.