

IN THE COURT OF SESSIONS JUDGE, CAMP COURT WEST CHAMPARAN AT BAGAHA
Anticipatory Bail Petition No. : 146/2026
(Arising out of Complaint Case No. 50/2016, Trial No. 338/2024)

1. **Manish Giri** S/o-Late Chandan Giri, R/o-Paharpur, P.S. Paharpur, District-
East Champaran.

-----Petitioner

Versus

State of Bihar

-----Opposite Party

Ld. Counsel for the Petitioner

- Sri Jitendra Kumar Rao

Ld. Counsel for the Complainant

- Sri Randheer Kumar

Learned Counsel for the State

- Sri Prabhu Prasad (Ld. A.P.P.-I/C)

16.05.2026

1. This anticipatory bail petition has been filed on behalf of above named petitioner, apprehending arrest in connection with **Complaint Case No. 50/2016, Trial No. 338/2024**, registered for the offences under section-420 of I.P.C.

Prosecution case

2. The case of complainant in brief is that the complainant and the accused shared cordial relations. The accused intended to purchase a bus for business purpose and for that reason, requested a loan of Rs. 80,000/- from the complainant, assuring him that the amount would be repaid at the earliest. It is alleged that until the repayment of the said amount, the accused had agreed to pay Rs. 2,400/- per month to the complainant. Relying upon the assurance of the accused, the complainant allegedly paid a sum of Rs. 80,000/- on 08.04.2013 through a cheque of HDFC Bank. It is further alleged that after receiving the cheque, the accused executed a purported agreement on the same date, i.e., 08.04.2013. Thereafter, the accused again demanded a further sum of Rs. 30,000/- from the complainant, which was also paid. According to the complaint petition, after receiving the said amount, the accused executed another agreement on a stamp paper and issued two cheques drawn on SBI Bank for amounts of Rs. 1,47,000/- and Rs. 55,200/- respectively. However, despite repeated demands, the accused neither repaid the amount nor paid any business profit and upon demand of money, abused and assaulted the complainant.

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Submissions of petitioner

3. Learned counsel for the petitioner submitted that no other bail application, either anticipatory or regular has ever been filed on behalf of petitioner either before this court or before Hon'ble High Court, Patna. The petitioner has got no criminal antecedent. It is further submitted that the petitioner is quite innocent and the offences alleged in the complaint are totally false, fabricated and based on baseless facts. The petitioner has neither taken any loan from the complainant nor executed any document in this regard. On these grounds prayed for privilege of anticipatory bail.

Submission of State

4. Learned counsel for the complainant supporting Ld. P.P. I/C vehemently opposed the prayer of bail and submitted that the petitioner does not deserve privilege of anticipatory bail.

Discussion

5. Heard and perused the record. The complaint is of the year 2016 and the complainant on S.A. as well as through inquiry witnesses No. 1, 2 and 3 has brought on record a prima-facie case against the petitioner. The complainant appeared before the court and has submitted the bank statement which clearly shows that on 08-04-2013, Rs. 80,000/- was withdrawn through Cheque No. 124687, dated 08-04-2013. This further reinforces the assertion of the complainant that there was a transaction of money between the parties. The petitioner has been successful in dodging the processes of court including bailable and non-bailable warrants.

6. Having regard to the nature of allegation, the witnesses supporting the allegations made by the complainant, the pendency of the case for the past ten years, this court is of the opinion that this is not a fit case for grant of anticipatory bail.

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7. Accordingly, prayer for anticipatory bail of the petitioner is hereby **rejected**.

This order is dictated and corrected by me.

Anamika
16/05/2026
(Anamika T.)
Sessions Judge
West Champaran, Bagaha Camp Court
16.05.2026