

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32844 of 2020

Arising Out of PS. Case No.-515 Year-2019 Thana- MANER District- Patna

Ram Babu Rai S/o Late Ram Jasi Rai Resident of Village-Hira Tola, Sherpur,
P.S.-Maner,District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deo Kumar Singh S/o Late Chinta Rai Resident of Brahmachari Pokhra,
Sherpur, P.S.-Maner, District-Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kashyap, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The instant application for regular bail has been
filed by the petitioner in connection with Maner P.S. Case
No.515 of 2019 registered under sections 420, 406, 323, 327,
352, 506, 120B and 34 of the Indian Penal Code and section 138
of the Negotiable Instruments Act.

Initially, a complaint was filed by the complainant
which on direction of the learned Court below, an F.I.R. was
registered.

As per allegation in the FIR, in brief the substance
of the allegation is that the petitioner had taken a loan of Rs.10



lacs with promise to return the same and in lieu thereof he promised to execute a sale deed. It is stated by the informant that he paid a sum of Rs. 6 lacs through RTGS and Rs.1.44 lacs in cash. However, neither the amount was returned nor the sale deed, as promised, was executed. Hence the F.I.R.

It is submitted by learned counsel for the petitioner that from perusal of the contents of the F.I.R. itself it would transpire that the same is out and out a money dispute which relates to differences between the parties with respect to the accounts. It is further submitted that it is for oblique reason that the instant F.I.R. has been lodged and with respect to the accounting as explained in different paragraphs of the petition, it is submitted that in fact the petitioner has paid an excess sum of Rs. 63,120/-. The petitioner is in custody since 18.11.2019.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the nature of allegations as levelled in the F.I.R. together with the petitioner being in custody since 18.11.2019, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Maner P.S.



Case No.515 of 2019 on his furnishing bail bond of Rs. 10,000/
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Judicial Magistrate 1st
Class, Danapur.

(Partha Sarthy, J)

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