

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38210 of 2020

Arising Out of PS. Case No.-32 Year-2020 Thana- GOGRI District- Khagaria

Milind Kumar Jha Son of late Udaykant Jha Resident of Village- Shirnia, P.O.
and P.S.- Gogri, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajesh Kumar, Advocate

For the Opposite Party/s : APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-02-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Gogri P.S. Case no. 32 of 2020 (Gr. no. 282 of 2020) registered under sections 406 and 420 of the Indian Penal Code.

As per allegation in the F.I.R., the informant had given a sum of Rs.6 Crores to the petitioner. It is stated that they had entered into an agreement that the amount would be returned by a particular date and, in case, the same is not returned, the petitioner would give 15 *bighas* of his ancestral land to the creditors. It is stated that legal notices were also sent to the petitioner which went in vain.

It is submitted by learned counsel for the petitioner



that from perusal of the F.I.R. itself, it transpires that the case is one purely of civil dispute and the instant F.I.R. is a case of malicious prosecution. It is also submitted that the petitioner is in custody since 12.08.2020 and investigation in the case has concluded with submission of the charge sheet.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R. together with the petitioner being in custody since 12.08.2020, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Gogri P.S. Case no. 32 of 2020 (Gr. No. 282 of 2020) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria.

(Partha Sarthy, J)

B.Kr./-

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

