

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28418 of 2021

Arising Out of PS. Case No.-314 Year-2020 Thana- JAKKANPUR District- Patna

ADITYA SINGHANIA @ ANIL, S/O Arun Singh, R/o village- Seetjain
Chak, Post- Baria, P.S.- Gopalpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 10-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of one month.

The petitioner apprehends his arrest in connection
with Jakkanpur P.S. Case No. 314 of 2020 for the offences
under Sections 406 and 420 of the Indian Penal Code.

As per the F.I.R. there was an oral contract between
the informant and the petitioner for the purpose of performance
of some works. It is further alleged that the petitioner received
the payment of Rs.12,06,679/- and he has misappropriated the
entire amount.

The learned counsel for the petitioner has submitted



that the F.I.R. itself shows that the contract was oral and the real fact is that the petitioner being a contractor has taken some equipment from the informant on rent. He has further submitted that the allegation in the F.I.R. on the face of it is a dispute of civil nature.

Considering the aforesaid facts and circumstances, the present case appears to be a dispute of civil nature.

Accordingly, the petitioner, named above, in the event of arrest or surrender before the court below within one month from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna in connection with Jakkanpur P.S. Case No. 314 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned herein above, failing which the matter shall be brought to notice of this Court.

(Nawneet Kumar Pandey , J)

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