

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41743 of 2021

Arising Out of PS. Case No.-50 Year-2021 Thana- HASPURA District- Aurangabad

MANOHAR KUMAR RAVI @ MANOHAR RAJ Son of Jagnarayan Ram @
Jagdish Das Resident of Village - Tineri, P.S.- Anti, Dist.- Gaya (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Haspura PS case no. 50 of 2021 instituted for the offences punishable under Sections 406, 420 of Indian Penal Code.

The allegation is regarding the petitioner having taken a sum of Rs. 90,000/- from the informant on the pretext of arranging for a job in the Welfare Department and a loan agreement is stated to have been executed in between the informant and the petitioner. It is further alleged that when the



informant had confronted the petitioner and had told him as to why he was not arranging for a job for him, the petitioner had engaged in dilly-dallying the matter and finally, had refused to return the money to the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 17.03.2021. The learned counsel for the petitioner has further submitted that a bare perusal of the FIR would show that a loan agreement has been executed in between the petitioner and the informant and at best, the informant might be having a civil claim for recovery of the loan amount but no criminal offence is made out.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a loan agreement has been executed in between the petitioner and the informant, thus at best the dispute in question can be said to be a dispute of civil nature, I deem it fit and proper to admit the petitioner to



the privilege of bail. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of S.D.J.M., Daudnagar, Aurangabad in connection with Haspura PS case no. 50 of 2021.

(Mohit Kumar Shah, J)

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