

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60821 of 2021**

Arising Out of PS. Case No.-221 Year-2020 Thana- MANSI District- Khagaria

MANOJ LAL @ MANOJ SINHA S/o Ambika Lal Resident of Village-
Chakhusaini, P.S.- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 31-03-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Mansi P.S. Case No. 221/2020 (G.R.No. 2284/2020), registered for the offence punishable under Section 420 of the Indian Penal Code.

The case of the prosecution in brief is that the informant had entered into an agreement on 15.2.2020 with the petitioner for sale of three wheeler passenger vehicle on payment of a sum of Rs. 1,50,000/- on installment @ Rs. 12,500/- per month in presence of two witnesses. The



petitioner is alleged to have deposited the first installment, however, thereafter, no further payment was made and on the contrary, the informant was informed by the petitioner that the vehicle had been stolen.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 6.4.2021. The learned counsel for the petitioner has further submitted that at best, the present case can be stated to be a civil dispute and the remedy of the informant lies elsewhere.

Per contra, the learned APP 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 petitioner and taking into account the materials available on record as also considering the fact that the allegation levelled in the present case



are prima facie in the nature of civil dispute, apart from the fact that the petitioner is having a clean antecedent and he is languishing in custody since about one year, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged 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 learned Judicial Magistrate, 1st Class, Khagaria in connection with Mansi P.S. Case No. 221 of 2020.

(Mohit Kumar Shah, J)

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