

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82350 of 2023

Arising Out of PS. Case No.-196 Year-2023 Thana- UCHKAGAON District- Gopalganj

Sanjay Sharma S/O Late Arjun Sharma R/O Village-Sankhe Khas Tola Inner
Ray, P.S- Uchakagaon, Distt.- Gopalganj Petitioner
Versus

1. The State Of Bihar
2. Premchandra Mishra S/O Late Bhola Mishra R/O Village- Sakhe Khas, P.S-
Uchakagaon, Distt.- Gopalganj Opposite Party

Appearance :

For the Petitioner : Mr.Javed Aslam, Advocate
For the Opposite Party : Asha Kumari, Addl Public Prosecutor
Mr. PK Dubey, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 16-04-2024 Heard learned counsel for the parties.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 406/420 of the Indian Penal Code.

3. As per the prosecution case, petitioner and his father took loan from the informant with promise to execute sale deed and they also wrote a hand note to this effect but they could not do so and also not returned the loan amount.

4. Learned counsel appearing for the petitioner submits that the petitioner never took any loan from the informant. However, the dispute is purely of civil nature and petitioner has got remedy under the civil law. Unregistered hand note has got no value in the eye of law. Petitioner claims clean antecedent.

5. Learned counsel for the State as well as the informant oppose the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of



arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate IX, Gopalganj in Uchakagaon Police Station Case No. 196 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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