

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31295 of 2021**

Arising Out of PS. Case No.-2080 Year-2018 Thana- GAYA COMPLAINT CASE District-  
Gaya

=====

IMTEYAZ ALAM @ PINTU Son of Md. Idris Resident of Village - Amwa,  
P.S. - Bodhgaya, District - Gaya, At present Residing at Mohalla - Karbala  
Pani Tanki, Near Railway Line, P.S. - Kotwali, District - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Tabish Sharfuddin  
For the Opposite Party/s : Mr APP

=====

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      16-02-2022                      This matter has been taken up for hearing online  
because of COVID-19 pandemic restrictions.

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

Learned counsel for the petitioner is expected to  
honour his undertaking to remove the defects as pointed out by  
the office when called upon to do so by the office.

The instant application for anticipatory bail has been  
filed by the petitioner apprehending his arrest in connection  
with Complaint Case no. 2080 of 2018 instituted for the offence  
under Sections 420, 406, 120(B), 504/34 of the Indian Penal  
Code.

As per allegation in the FIR, on 9.9.2015 complainant  
had given an amount of Rs. Five lac in cash to the petitioner for



purchasing land in Bodh-Gaya, after withdrawing the same from Godown Branch, S.B.I.. After accepting the amount, petitioner had not got registered the sale deed of land in favour of the complainant, then she asked to return her money but the petitioner did not return the same. On 17.6.2018, petitioner made an agreement to this effect that he will return the same on 26.8.2018 to which he denied.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has not committed any offense. By the court below an inquiry was conducted under Section 202 Cr.P.C. but cognizance has been taken under Section 420 of the IPC. Petitioner has not received any amount from the informant. There is no agreement in this connection. And the agreement which has been shown in this case is forged, which does not bear the signature of the petitioner. The dispute is purely civil in nature.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of



four weeks from today and in the event of his arrest or surrender in connection with Complaint Case No. 2080 of 2018, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

sushma/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

