

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43893 of 2023**

Arising Out of PS. Case No.-178 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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NOOR ALAM @ MD. NOOR ALAM @ MD. NOOR ALAM KHAN SON
OF ALI HUSSAIN KHAN RESIDENT OF PHULWARI NAYA TOLA,PS
PHULWARI, DISTRICT- PATNA

... .. Petitioner/s

Versus

1. The State of Bihar
2. KHURSHEED AHMAD SON OF LATE MD. RAFIQUE RESIDENT OF
MOHALLA- DADARMANDI, GULZARBAGH, PS- ALAMGANJ,
DISTRICT- PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-08-2023 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 406,
341, 323 and 504 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent.
4. The informant alleges that an agreement for sale was
entered in between him and the petitioner for purchasing a land as
detailed in the FIR for a consideration of Rs. 3,20,000/- out of
which Rs. 2,70,000/- was paid to the petitioner, but the petitioner
did not execute the sale deed.
5. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case, it is next submitted that the dispute is purely civil to which a criminal colour has been given, it is next submitted that if what has been alleged is true, then definitely the remedy of the informant lies elsewhere. It is also submitted that if the condition of the agreement for sale stands breached, then informant has remedy of approaching a Court of competent civil jurisdiction.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 178 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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