

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10014 of 2025

Arising Out of PS. Case No.-186 Year-2024 Thana- MANJHAGARH District- Gopalganj

Anwar Alam Son of Late Taiyab Hussain R/O-Village- Manjha, Balua Tola,
PS- Manjhagarh, Distt.- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Vikash Kumar Shukla, Advocate Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Manjhagarh P.S. Case No. 186 of 2024, dated 12.07.2024 registered for the offences punishable under Sections 316(2), 318(4) of the BNS Act.

3. As per allegation, the accused, Paras Prasad without having any title to the property, has sold the land to the co-accused, Anwar Alam, Manir Alam, Manju Gaddi, Bachcha Gaddi and Rajmahmad Gaddi.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that he has purchased the land of Paras



Prasad after paying the consideration amount to him and Paras Prasad has claimed title to the property in the sale deed. As such, no offence of any forgery or cheating is made out because the sale deed is genuine and there was no representation made by the accused/petitioner to the informant nor the informant has suffered any monetary loss. Hence, there is no question of making out any offence of cheating. At most, the alleged facts and circumstances constitute a dispute of civil nature, for which civil suit is already going on in competent court for declaration of title.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his



furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj, in connection with Manjhagarh P.S. Case No. 186 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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