

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11421 of 2025

Arising Out of PS. Case No.-314 Year-2024 Thana- KESARIA District- East Champaran

Irshad Aahmad @ Irshad Ahmad Khan Son of Motiullah Khan Resident of
Village - Kandwa, P.S. - Kesariya, District - East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Karandeep Kumar , Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-03-2025 Heard learned counsel for the petitioner and the

State .

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under sections 318(4), 338 , 336 (3)
, 340(2), 308 (4), 351 (2) and 352 of Bharatiya Nyaya
Sanhita 2023 .

3 . The prosecution case in brief, is that this petitioner,
who is one of the purchasers of the land, has purchased the land
through a registered sale deed, and on 30.04.2024, this
petitioner, along with other co-accused persons, prepared a false
document of the registered land of the informant and demanded



a huge ransom of Rs. 50,00,000/- from the informant to give up their false claim and threatened the informant with dire consequences.

4. It is submitted on behalf of the petitioner that the petitioner is a bonafide purchaser of the land in question and has purchased the land after payment of full consideration money. The land appertaining to Khata No. 145 , Khesra No. 658 , 659, 1699, 1700 and Khata No. 93 Khesra No. 1818 and Khata No. 100, Khesra No. 2554 and Khata No. 231. Khesra No. 2579. 2576 situated at Mauza-Gochchi Kundwa, P.S. Kesariya, District- East Champaran was gifted by one Noor Hasan Khan through registered deed of gift in the name of Bibi Nashrin Khatoon in the year 1962 and thereafter she came in peaceful possession over the land and Jamabandi bearing Jamabandi No. 985 was created in her name in the Revenue Record and after death of Bibi Nashrin Khatoon, her son Tarique Ali Khan who is vendor of the petitioner came in possession over the land in question and sold out the part land of the aforesaid land through registered deed of sale in favour of the petitioner in the year 2024 having right, title and interest over the same and thereafter the petitioner has come in peaceful possession over the purchased land. It is further submitted that the informant is the



nephew of Bibi Nashrin Khatoon (son of the brother of Bibi Nashrin Khatoon), who is claiming his title on the basis of an alleged oral deed executed by Bibi Nashrin Khatoon in the year 1988 in favor of the father of the informant and the informant got the said land in question through registered sale deed executed by his father in his favor as five sale deeds mentioned in the FIR itself, but as a matter of fact, the vendor of the petitioner is/was having peaceful possession over the land after the execution of the gift deed in favor of the mother of the vendor of the petitioner. Moreover, the dispute is purely civil in nature and as such no criminal offence is made out against this petitioner.

5 . Learned counsel for the State opposed the bail petition .

6 Considering the fact that the dispute involved in this case is purely civil in nature and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioner, as named 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 the learned JMFC Motihari in connection with Kesariya P.S. Case No. 314 of 2024 , subject to the conditions laid down 482(2)



of the Bharatiya Nagarik Suraksha Sanhita , 2023 .

(Prabhat Kumar Singh, J)

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