

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28757 of 2025

Arising Out of PS. Case No.-16 Year-2024 Thana- SUHAIL District- Gaya

Aslam Khan @ Md. Aslam Khan S/o Late Marchhu Khan R/o Village-
Sohail, P.S.- Sohail, District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 26-06-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Suhail P.S. Case no.16 of 2024 registered under sections
420, 406 and 506 of the Indian Penal Code.

3. The allegations in the F.I.R is that the informant
had given an amount of Rs.31,72,500/- to the petitioner out of
which Rs.20,37,500/- in his account and rest by way of cash for
executing the sale deed. It is further alleged that despite several
requests the petitioner neither executed the sale deed nor
returned the money.

4. Learned counsel for the petitioner submits that as a
matter of fact the informant had taken an amount of Rs. 40 lakhs
from the petitioner to do a leather business and they had entered



into money transaction right from the year 2010. He has brought on record the document with regard to leather business as Annexure- P/2 and a complaint instituted by the petitioner against the present informant as Annexure-P/3 to the present application in which it has been submitted that cognizance has been taken against the present informant under Section 406 of the Indian Penal Code vide order dated 19.05.2025. Learned counsel for the petitioner further submits that as a matter of fact there is no agreement with regard to sale of any land and the informant had rather transferred the share of profit of leather business in the account of the petitioner. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the facts and circumstances of the case that since there is no written agreement between the parties, the present case virtually seems to be a breach of terms of oral agreement, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Suhail P.S.



Case no.16 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Sherghati, Gaya, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

7. However, since money transaction is involved in the case and there is case and counter case, the parties are expected to settle the grievance among themselves before the Court below.

(Soni Shrivastava, J)

Harsh/-

U		T	
---	--	---	--

