

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22138 of 2025**

Arising Out of PS. Case No.-893 Year-2024 Thana- PHULWARISHARIF District- Patna

Hasan Perwez S/O Badrul Hasan Resident of Mohalla- Bhikanpur Hatia,  
Police Station- Ishachak, District- Bhagalpur, presently posted as General  
Manager, Electrical (CRT) at MECON Limited, Ranchi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vikash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 3      15-05-2025                      1. Learned counsel for the petitioner at the outset submits that petitioner has gone for Haj.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 420, 467, 468 and 34 of the Indian Penal Code.
4. Learned counsel for the petitioner submits that petitioner has antecedent of four cases but then it is submitted that petitioner is not named in the three cases out of four.
5. It is further submitted that in sum and substance, the allegation as alleged in the instant FIR is that the informant alleges that one Md. Riswan @ Intekhab Alam entered into an agreement for sale with the informant with respect to the land of



the father of the petitioner and received an amount of Rs.65 lakhs. Further, after the death of the original land owner, Badrul Hassan i.e. the father of the petitioner, the informant met the petitioner for getting the land executed in terms of the agreement for sale executed in between Md. Rizwan and him but the petitioner refused.

6. Learned counsel for the petitioner submits that Md. Rizwan is a known fraudster and more than 26 cases are pending against him. It is further submitted that the agreement for sale with respect to the land in question was neither entered in between the informant and the petitioner or the informant and the father of the petitioner but then it appears that Md. Rizwan fraudulently got an agreement for sale entered with the informant and thereafter the instant dispute arose. It is next submitted that the informant instead of instituting a criminal case ought to have filed a case before a Court of competent civil jurisdiction for getting the agreement for sale executed. It is also submitted that had the informant approached a Court of competent civil jurisdiction, the petitioner would have appeared and rebutted his claim but then the instant case has been instituted only to coerce the petitioner into submission.

7. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

8. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of ten 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 court below where the case is pending/Successor Court in connection with Phulwari Sharif P.S. Case No. 893 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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