

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30745 of 2025

Arising Out of PS. Case No.-2188 Year-2022 Thana- COMPLAINT CASE District- Araria

1. Amarnath Ray @ Amar Nath Roy @ Lalan Ray S/o- Late Fani Nath Roy Village- Ukhwa ward no-1, PS- Mahalgown District- Araria
2. Shailendra Kumar Ray @ Sheulendra Kr. Rai S/o- Late Fani Nath Roy Village- Ukhwa ward no-1, PS- Mahalgown District- Araria
3. Bhupendra Kumar Rai S/o- Late Fani Nath Roy Village- Ukhwa ward no-1, PS- Mahalgown District- Araria
4. Dhiru Kumar Rai @ Dhirendra Kr. Ray @ Dhirendra Kr. Roy S/o- Late Fani Nath Roy Village- Ukhwa ward no-1, PS- Mahalgown District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Rizwan S/o- Late Seikl Sanjir Village- Uda, W.No-4, Ps- Mahalgown Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vivekanand Singh, Advocate
For the Opposite Party/s	:	Mr. Ajit Kumar, APP
		Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Gopal Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 04-09-2025 Heard Mr. Vivekanand Singh learned counsel for the petitioners and learned APP Mr. Bharat Bhushan for the State and Mr. Gopal Kumar Jha for the informant.

2. The petitioners apprehend their arrest in connection with Complaint Case No. 2188C of 2022 for the offence registered under sections 420, 323 of the Indian Penal Code by the complainant, Md. Rizwan.

3. As per the story, the complaint alleged that for a piece of land which the petitioner claimed to be their own, an agreement was signed, Rs 7,50,000/- was paid but later they fail



to execute the sale deed and as the legal notice was not taken care of, the case.

4. Learned counsel for the petitioner at the outset submits that it is forged and fabricated document, no such agreement was signed, they never provided anything to show how the transaction took place.

5. In that background, the Co-ordinate Bench on 13.08.2025 directed the complainant to respond to the said submission.

6. A counter affidavit has been filed on behalf of the complainant annexing the concerned document (Annexure A) which clearly show that :-

(i) it has been recorded that the amount has been fixed at Rs. 7,50,000/- for 31 decimal of land;

(ii) it has been paid by the second party (claimant), a complainant to the first party (the petitioners herein) in the presence of the witnesses details of which are available on the agreement dated 30.05.2022.

7. The important fact that cannot be missed is that though the petitioners have taken stand that it is forged and fabricated document, they have not taken any step whatsoever to lodge FIR/ file complaint against the complainant herein as the



said document is now on record/ by way of affidavit.

8. In that background and considering that with an intention to cheat, the complainant has in debt of Rs. 7,50,000/-, no relief can be extended.

9. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

Raj Ranjan/-

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