

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25510 of 2025

Arising Out of PS. Case No.-1542 Year-2024 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

=====

Md. Hasan Askari @ Mohammad Hasan Askari S/o Late Jalillur
rahman R/o Village- Taraiya, Post Sankh, P.S.- Muffasil, District-
Begusarai At present R/o Mohalla- New Colony, Pokhariya, Ward No.
39, P.S. Town, Distt.- Begusarai

... .. Petitioner

Versus

1. The State of Bihar
2. Prakash Kumar Agrwal S/o Late Sukhdev Narayan Agwaral R/o
Mohalla- Mungeriganj, Main Market, Ward No. 33, P.S. Town, Distt.-
Begusarai

... .. Opposite Party

=====

Appearance :
For the Petitioner : Mr.Ansul, Sr. Advocate
Mr.Sandip Kumar Gautam, Advocate
For the State : Mrs.Asha Kumari, APP
For the Informant : Mr.Fazle Karim, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 29-08-2025 Heard Mr. Ansul, learned senior counsel for the

petitioner and learned APP for the State duly assisted by Mr.

Fazle Karim, learned counsel for the informant/O.P. No.2.

2. The accused-petitioner, named in the F.I.R., is
apprehending his arrest in connection with Complaint Case
No. 1542C of 2024 registered for the offences punishable
under Sections 111, 115(2), 318(4), 338, 338(3), 340(2),
298, 299, 3(5) of the Bhartiya Nyay Sanhita, 2023 (In short



the 'B.N.S.').

3. The allegation against the petitioner is to purchase the disputed piece of land from one Baibhav Agrawal by creating forged documents which in actual belongs to the Temple.

4. Mr. Ansul, Learned senior counsel appearing on behalf of the petitioner submitted that the dispute between the parties appears civil in nature for which the present FIR, as to initiate criminal proceeding, is completely unoccasioned and unwarranted.

5. It is submitted that the petitioner being the purchaser, by paying consideration amount of Rs. Five Lakhs, was himself the victim of circumstance and after knowing the fact that the property in issue is disputed, he asked for cancellation of the sale deed and received back the consideration amount, which was duly returned by the seller of the land.

6. It is also submitted by Mr. Ansul that the sale deed as executed in favour of the petitioner was cancelled through registered document, which is at Serial No. 8351, Circle –



Begusarai (Begusarai), Book No. 1, deed No. 8245 dated 26.08.2025.

7. It is pointed out that in view of the aforesaid, matter appears compromised and, moreover, for remaining issue one Title Suit bearing No. 316/2024 preferred before the court of learned Sub-Judge-I, Begusarai.

8. Learned A.P.P. for the State is present.

9. Mr. Fazle Karim, learned counsel appearing for the informant/O.P. No.2, could not disputed the aforesaid factual submission as advanced by Mr. Ansul, learned senior counsel for the petitioner.

10. In view of the aforesaid factual submissions and by taking note of the fact as litigation in issue is primarily civil in nature where the issue appears *prima facie* settled between the parties after cancellation of the disputed sale deed, coupled with the fact that petitioner is a man of clean antecedent, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of



the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Begusarai, in connection with Complaint Case Non. 1542C of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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

