

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38326 of 2025

Arising Out of PS. Case No.-1133 Year-2023 Thana- COMPLAINT CASE District- Araria

Md Sahud Alam @ Sawood Alam @ Saahud Alam, Late Md Mainuddin @ Late Mohiuddin At Present Resident Of House No 450, Gali No 8, Prem Nagar Phase 02 Suleman Nagar North West Delhi 110086, Permanent Resident Of Village Khaira Garhiya, Ward No 14, P.S. Narpatganj, District Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Meraj Alam Son of Late Md. Sajjad R/o Vill Khaira Garhiya , Ward no. 14, P.S Narpatganj , Distt.- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Md Naushaduzzoha
For the Opposite Party/s :	Mr. Md. Mushtaque Alam- A.P.P.
	Mr. Arbind Kumar Shrivastava
	Mr. Pritish Kumar Lal
	Mr/s. Shreya Swaroop

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 27-08-2025 1. Heard learned counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of the complainant.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the complainant alleges that he and petitioner are villagers. Further, petitioner came and informed that he intends to sell 21 decimals



of his land. The complainant got ready to purchase 21 decimals of land and paid Rs.4.50 lacs in presence of witnesses to the petitioner. Further, the petitioner registered only 10.5 decimals of land and said that rest 10.5 decimals of land shall be registered subsequently and if 10.5 decimals of land is not registered subsequently, then he will repay Rs.2.25 Lacs for which the petitioner executed an agreement, but then, did not register the rest 10.5 decimals of land nor paid the money back.

4. The learned counsel for the petitioner submits that a purely civil dispute has been given a criminal colour. It is next submitted that petitioner disputes the allegation, but then, it is submitted that if it is contention of the complainant that despite petitioner being ready to execute a sale deed with respect to 10.5 decimals of land subsequently and in the event, if the sale deed was not executed, the petitioner would repay to Rs.2.25 Lacs and petitioner has resiled from his earlier promise, in that event, the complainant has a remedy to approach a Court of competent civil jurisdiction for getting a sale deed executed where petitioner will get an opportunity to rebut the case of the complainant, but then, by fling a criminal case the petitioner is trying to coerce the petitioner into submission.

5. Learned A.P.P. as well as the learned counsel



appearing on behalf of the complainant opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Araria in connection with Complaint Case No.1133C of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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