

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45864 of 2025

Arising Out of PS. Case No.-395 Year-2024 Thana- MANJHI District- Saran

Nasim Akhtar @ Md. Nasim Akhtar @ Nacim Akhter S/o- Md. Yakuf @ Md. Yakub Moh- Daulatganj Chik Toli Ps- Bhagwan Bazar Dist- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shyam Bihari Sukal S/o- Late Kamaldeo Sukal Village- Maripur Kala Ps- Manjhi Dist- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha
For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 230-07-2025
1.

Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
2.

This application, for grant of anticipatory bail, arises out of Manjhi Police Station Case No. 395 of 2024, disclosing offences punishable under Sections 319(2)/318(4)/316(2)/352/ 351(2) of the Bhartiya Nyaya Sanhita, 2023.
3.

The prosecution case, as per the complaint -cum- First Information Report, is that the petitioner, who is known to the complainant-informant, in the garb of selling a piece of land, took Rs. 4,60,000/- as the consideration money



from the complainant-informant and they entered into an agreement for sale on a 100 rupees stamp paper in the year 2013. It has further been alleged that when the complainant-informant told the petitioner to executed the sale deed of the land or return the money, the petitioner neither executed the sale deed nor returned the money.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case with ulterior motive. He further submits that the petitioner neither executed any agreement for sale of land nor took any amount from the informant as consideration money for the land in question. He further submits that the informant alleges that he gave money to the informant in the year 2013, but the present complaint petition has been filed by him in the year 2024, i.e. after a lapse of about 11 years.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the complainant-informant approached the Court in the year 2024 for the alleged occurrence which took place in the year 2013, i.e. after a lapse of about 11 years, I am inclined to grant the petitioner privilege of anticipatory



bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 11th Additional Chief Judicial Magistrate, Saran, at Chapra, in connection with Manjhi Police Station Case No. 395 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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