

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51874 of 2025

Arising Out of PS. Case No.-188 Year-2022 Thana- CHHATAUNI District- East Champaran

Md. Imranool Aazam @ Md. Imran Aalam S/O Kalimuddin Sidiki Resident
Of Mohalla- Khodanagar, P.O And P.S.- Chhatauni, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pravin Kumar, Advocate
For the State	:	Mr. Tarun Prasad Mandal, A.P.P.
For the Informant	:	Mr. Anshul, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-09-2025 Heard learned counsel for the petitioner, Mr. Tarun Prasad Mandal, learned A.P.P. for the State and Mr. Anshul, learned Senior Counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 420 and 385 of the Indian Penal Code.

3. Learned counsel appearing on behalf of the petitioner, at the outset, submits that the petitioner was given notice under Section 41A of the Cr.P.C. and the petitioner cooperated in the investigation and the police never felt the need to arrest the petitioner, but then charge-sheet came to be submitted based on which cognizance has been taken, as such the petitioner apprehends arrest. It is also submitted that when the police never felt the need to arrest the petitioner, whether it would be prudent for the Court to send the petitioner to jail based on an order of cognizance. It is also submitted that from



perusal of the allegation as alleged in the F.I.R., it would manifest that the dispute is purely civil to which a criminal colour has been given, as the informant alleges that an agreement for sale of an amount of Rs. 8 lakhs was executed between the petitioner and the informant for purchasing a piece of land with a condition that the petitioner would pay the rest Rs. 5 lakhs within a period of six months, but the petitioner executed the sale deed in favour of another person despite the informant being willing to pay Rs. 5 lakhs within the stipulated time.

4. Learned counsel submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the dispute is purely civil. It is also submitted that the petitioner completely denies that any agreement of sale was executed between him and the informant in respect of a piece of land. It is also submitted that the informant alleges that the entire amount of Rs. 8 lakhs was paid in cash, which the petitioner vehemently rebuts. It is next submitted that in the event, if what is being alleged by the informant is true, in that event the informant ought to have approached a Court of competent civil jurisdiction seeking a direction upon the petitioner for executing the sale deed in terms of the agreement for sale, where the petitioner



could have appeared and rebutted his claim, but then a criminal case came to be instituted with a view to coerce the petitioner into submission.

5. Learned A.P.P. for the State and learned Senior Counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the petitioner.

6. 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 trial court within a period of six 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 trial court where the case is pending/successor court in connection with Chhatauni P.S. Case No. 188 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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