

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81038 of 2024

Arising Out of PS. Case No.-585 Year-2024 Thana- PURNIA COMPLAINT CASE District-
Purnia

Nazir Khan S/O Late Ahmad Ali Khan R/O Village- Sariya Bathna, Police
Station- Kasba, District- Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabnam Praveen W/O Imtiyaz Haidar R/O Mohalla- Ford Company Ward
No.-19, P.S- K.Hat, Distt.- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikram Singh, Adv.
For the State	:	Mr. Chandra Sen Prasad Singh, APP
For the Complainant	:	Mr. Ranvir Kumar, Adv.
		Mr. Santosh Kumar Singh, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 15-07-2025 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 468
of the Indian Penal Code.

3. The case of the complainant is that upon a proposal
made by the petitioner to sell his *khatiyani* ancestral land to the
complainant, the complainant agreed and a sale deed was
executed in her favour, however, when the complainant applied
for the mutation of the purchased land, the same was refused by
the authority concerned and she came to know that one of the



co-sharers of the petitioner had sold the land way back in the year 1971.

4. Learned counsel for the petitioner submits, at the outset, that the present case is out and out a civil dispute. It is further submitted that the petitioner has transferred the land in the name of the informant by way of a registered sale deed and the said land stood in the name of the petitioner. The allegation made by the complainant about the same being sold by any ancestor way back in the year 1971 was and is not within the knowledge of the petitioner and he rather denies the fact that any of his ancestors has sold the said piece of land. It may be a foul play at the hands of some other persons which is totally unknown to the petitioner.

5. Learned APP for the State and learned counsel appearing for the complainant oppose the prayer for anticipatory bail and support the contentions made in the complaint. A counter-affidavit has also been filed on behalf of the complainant to bolster his argument that she has been duped of her hard-earned money.

6. At this stage, learned counsel appearing on behalf of the petitioner makes an offer that the petitioner would make the payment of half the amount as indicated in the sale deed which



would be Rs. 1,14,500/- of a total of Rs. 2,29,000/- in four equal installments.

7. Considering the nature of dispute and also taking into consideration the bona fide shown on behalf of the petitioner, I am inclined to grant the privilege of **provisional bail** to the petitioner upon making a payment of Rs. 28,625/- as first installment, a receipt of which would be shown at the time of furnishing of the bail bonds. Thereafter, the rest of the amount would be paid in three installments within a total period of two months from the date of furnishing of the bail bonds. It goes without saying that after the entire payment of the amount of Rs. 1,14,500/- is made by the petitioner, the provisional bail granted to the petitioner would be confirmed by the learned court below.

8. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on **provisional bail**, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with C.A. Case No. 585 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/



482 (2) of the BNSS, 2023.

9. It is made clear that the payment shall be subject to the
final result of the preesent case.

(Soni Shrivastava, J)

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