

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85026 of 2024

Arising Out of PS. Case No.-775 Year-2024 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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MOITIUR REHMAN @ MOTIUR RAHMAN S/O FAIJU REHMAN R/o
vill - Pokhariya, ward no. 35, East of Masjid, P.S. - Nagar, Distt.- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Abhishek Kumar S/o Sambhu Kumar Singh R/o Pokhariya, ward no.39, P.S.
- Nagar, Distt.- Begusarai

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vinod Kumar Seth, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP
For the Complainant : Mr. Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 14-05-2025 Heard Mr. Vinod Kumar Seth, learned counsel for

the petitioner, learned counsel for the Complainant and Mr.

Tarun Prasad Mandal, learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 775c of 2024 for the
offences punishable under Sections 406, 420, 120(B), 386 of the
Indian Penal Code.

3. According to prosecution case, the complainant
alleged that the petitioner took Rs.26,00,000/- in the name of
purchase of land but did not executed the sale deed. When the



complainant went to petitioner's house to take his money back, the petitioner tried to kill him by firing on him.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the complaint petition. is false and fabricated and the petitioner has not committed any offences as alleged in the complaint petition and infact the petitioner filed an application before the S.H.O Town P.S Begusarai stating therein that the complainant had prepared a false Mahadha and complainant had received a cheque from the petitioner.

5. The learned Additional Public Prosecutor and learned counsel for the Complainant have vehemently opposed the prayer for bail of the petitioner and submits that the complainant had issued two cheques bearing cheque no. 989760 and 989759 in tune of Rs. 13,00,000/-(Rupees Thirteen Lakhs) each in favour of the petitioner but the petitioner after received the aforesaid money neither executed the sale deed for the land in question nor returned the amount in question.

6. Considering the allegation and the fact that the petitioner after receiving the amount from the complainant neither executed the sale deed in question nor returned the



amount in question, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Complaint Case No. 775c of 2024 pending in the court of C.J.M, Begusarai.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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