

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85539 of 2024

Arising Out of PS. Case No.-371 Year-2023 Thana- COMPLAINT CASE - PATNA CITY
District- Patna

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Md. Maksood @ Md Maksood Alam @ Mohammad Maksud @ Md Maksud
S/O Late Md Yaqub R/o village -Taj Nagar Nosha Bagicha Phulwari Sharif,
P.S.- Phulwari Sharif, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sagufta Praveen @ Sultana Praveen W/O Md Wasim R/O New Azimabad Colony, P.S.- Bahadurpur, Dist.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Danish Quamar, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-05-2025 Heard Learned Counsel for the petitioner, Learned
APP for the State and Learned counsel for the complainant.

2. The petitioner is apprehending arrest in connection with Complaint Case No. 371 of 2023, for the offence punishable under Sections 420, 406, 467, 468, 471, 323, 341, 307, 504 & 34 of the Indian Penal Code read with section 138 of the N.I Act and section 27 of the Arms Act.

3. As per the prosecution, complaint has been filed against three named accused persons including the present petitioner alleging that petitioner has persuaded the complainant to purchase the land and subsequently, complainant received information that the said land has been sold through fake person



and petitioner is one of the witness on the said land and on his persuasion, complainant has purchased the said land.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the sale has been made in the year 2012 and the present complaint case has been filed in the year 2023. Counsel submits that the petitioner has not worked as broker, rather, petitioner produced the alleged seller before the complainant and complainant directly negotiated with the said purchaser and directly paid money to the said purchaser. Counsel submits that if, complainant is subject to fraud, then petitioner is also subject to fraud and he was also completely unaware of the same. Counsel submits that petitioner and complainant are closed relatives, as petitioner is the brother of the *gotni* of the complainant. Counsel further submits that petitioner has no criminal antecedent and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned counsel for the complainant vehemently opposed the prayer for bail and submits that it is the petitioner due to which the complainant was subject to fraud.

6. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that there is no



transaction of the money between the petitioner and the complainant.

7. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st Class, Patna City, Patna, in connection with Complaint Case No. 371 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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