

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2348 of 2025

Arising Out of PS. Case No.-1356 Year-2024 Thana- PHULWARISHARIF District- Patna

Firoz Alam Khan S/O Hamim Khan R/O Village - Karbala Road, Imam
Colony, P.S. - Phulwari Sharif, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Adv.

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner is apprehending arrest in connection with Phulwari Sharif P.S. Case No. 1356 of 2024, dated 10.09.2024, lodged under Sections 126(2), 115(2), 118(1), 109, 352, 351(2), 351(3) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against two named accused persons and one unknown accused, including the present petitioner, alleging that the accused persons assaulted the informant with a sword. It is further alleged that the informant's mother paid Rs. 89,00,000/- to the accused for the registry of land. Despite receiving the money, the accused have not executed the registry, leading the



informant's mother to file a criminal case in relation to this matter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the present case has been filed solely with a view to save the skin from the complaint cases filed by the petitioner and his wife, namely Complaint Case No. 868 of 2024 and Complaint Case No. 885 of 2024, which are currently pending. Counsel also submits that the petitioner has a criminal antecedent, with one pending criminal case, but this case was also filed by the informant's mother. Additionally, counsel submits that the petitioner is willing to comply with any conditions that may be imposed by this Hon'ble Court.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the petitioner is not presenting the case properly, and the facts are entirely different. Counsel further submits that the informant's mother paid Rs. 89,00,000/- to the petitioner for the purchase of land, but he has failed to execute the land registry and has taken all the money. Whenever the informant's mother put emphasis on this matter, the petitioner file a complaint case.

6. Learned APP for the State opposes the prayer for



bail of the petitioner and submits that there is a series of cases pending between the parties. The present case has been filed by the informant's mother on the ground that the petitioner received the money but failed to execute the land registry in her favour.

7. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby **rejected**.

(Dr. Anshuman, J.)

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