

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33821 of 2025

Arising Out of PS. Case No.-135 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Md Aminul Hassan @ Md Aminul S/O Md Rafiqul Hassan Resident of
Bhikhanpur Hatia Chowk, P.S.- Bhagalpur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 05-01-2026 Heard the parties.

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Katihar (N) P.S. Case No. 135 of 2024 registered for the offences punishable under Sections 406 and 420 of the IPC

3. The allegation against petitioner is to cheat informant as not to execute the sale deed in terms of agreement dated 01.02.2022 after receiving advance of Rs. 7,98,000/- against total considerations of Rs. 12,00,000/-.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the property in issue is in name of father of petitioner. It is submitted that petitioner is highly



qualified person and presently he is a research scholar of IIT, Mumbai. It is submitted that the agreement which is the basis of entire allegation, which annexed as P/16 of the present bail petition is without any signature of this petitioner and it was only signed by informant. It is pointed that upon verifications even the police report suggests that petitioner signed only on compromise when he was called by the police.

5. Arguing further, it is submitted by learned counsel that primarily the dispute between the parties appears civil in nature arising out of land dispute for which title suit bearing no. 211 of 2024 is pending before learned Sub-Judge, Katihar. While concluding argument, it is submitted that petitioner is a man of clean antecedent.

6. Learned APP while opposing the prayer of bail could not disputed the submissions that the agreement in issue was not signed by this petitioner as submitted aforesaid.

7. In view of aforesaid factual submissions and by taking note of fact as dispute primarily appears civil in nature for which title suit is pending before appropriate civil court as mentioned aforesaid, coupled with the fact that the



agreement which is the *calyx* of the present dispute not appears *prima-facie* signed by this petitioner (Annexure P/16), accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Katihar/concerned Court, where the case is pending in connection with Katihar (N) P.S. Case No. 135 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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