

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71780 of 2025

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

=====

Motiur Rahman @ Moitiur Rahman S/o Late Faiju Rahman @ Faiju Rahman
@ Late Md. Faizur Rahman @ Md. Faizur Rahman R/o Village- Pokharia,
Ward No 35, East of Masjid Gali, PS- Town District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Abhishek Kumar S/o Shambhu Kumar Singh R/o vill - Pokharia
(Polkhariya), ward no. 39, P.S.- Town, Distt.- Begusarai

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sandip Kumar Gautam, Adv.
For the Opposite Party/s	:	Mr. Rajiv Nayan, APP
For the O.P. No.2	:	Mr. Randhir Kumar, Adv.

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 11-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. A prayer for bail has been made on behalf of the
petitioner in connection with Complaint Case no.775 of 2024
registered under sections 307, 147, 148, 149, 420, 386/34, 406
and 34 of Indian Penal Code.

3. Allegation against the petitioner is that petitioner
took Rs.26,00,000/- in the name of purchase of land but did not
execute the sale deed.

4. Learned counsel for the petitioner submits that the
present complaint case has been maliciously instituted on



wholly false and baseless allegations to the effect that the petitioner received a sum of Rs. 26,00,000/- from the complainant towards purchase of land, which transaction was never executed. It is further submitted that if any dispute exists between the parties with respect to sale and purchase of land or any monetary transaction arising therefrom, the same is purely civil in nature. For such grievance, an alternative and efficacious remedy is available to the complainant/opposite party no. 2 under the civil law. However, the petitioner expresses his willingness to pay a total sum of Rs. 3,73,000/-, being the amount reflected in the transactions annexed to the counter affidavit filed by the informant from the year 2023 when negotiations for the proposed sale and purchase of land had commenced. The petitioner is in custody since 05.07.2025 and undertakes to cooperate with the case/trial.

5. The application for bail is opposed by learned A.P.P. for the State. However, learned counsel for the opposite party no.2 does not have any objection if the petitioner is enlarged on bail, subject to payment of Rs. 3,73,000/- to the complainant.

6. In view of the present facts and circumstances of the case and considering the offer made by the petitioner and



also taking into considering the civil nature of dispute between the parties, the petitioner is directed to be enlarged on bail in connection with Complaint Case no.775 of 2024 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 concerned where the case is pending/successor Court.

7. It is expected that the petitioner would be depositing the amount of Rs.3,73,000/- in the account of the informant in six installments and would be depositing an amount of Rs.50,000/- at the time of furnishing of bail bonds as the first instalment.

(Soni Shrivastava, J)

Harsh/-

U		T	
---	--	---	--

