

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75394 of 2025**

Arising Out of PS. Case No.-1848 Year-2024 Thana- COMPLAINT CASE District- Araria

Md. Haroon Rashid @ Haroon Rashid @ Harun Rashid @ Md. Harun S/o-  
Md. Jarjis @ Jarajis R/v- Deoria Barighat Paiktola W.No-1, PS- Araria Dist.-  
Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Baharuddin S/o- Late Md. Jalal @ Jalaluddin R/v- Deoria Barighat  
Paiktola W.No-1, Ps- Araria Dist- Araria

... .. Opposite Party/s

**Appearance :**

|                      |   |                                |
|----------------------|---|--------------------------------|
| For the Petitioner/s | : | Mr. Md Naushaduzzoha, Advocate |
| For the State        | : | Mr. Bharat Bhushan, APP        |
| For the O.P. No.2    | : | Mr. Madan Mohan, Advocate      |
|                      | : | Mr. Rahul Raj, Advocate        |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      24-02-2026                      Heard Mr. Naushaduzzoha, learned counsel for the  
  
petitioner and Mr. Bharat Bhushan, learned APP representing  
  
the State as also Mr. Madan Mohan, learned counsel  
  
representing the opposite party no.2.

2. The petitioner is apprehending his arrest in  
connection with Complaint Case No.1848C of 2024 registered  
for the offence under Sections 406, 323 and 420 of the Indian  
Penal Code, lodged by the complainant Md. Baharuddin.

3. As per the prosecution story, the allegation is that  
the petitioner took Rs.5,70,000/- (Five Lakhs Seventy  
Thousand) from the informant to execute sale deed but instead  
executed a will, this happened in the year 2012. Recently, (in the  
year 2024) when he went for the mutation of the land, came  
about it. Accordingly, the F.I.R..



4. Learned counsel for the petitioner submits that he executed the will, the papers would also show that it was purchased for the said purpose, the execution took place in the year 2012. Twelve years later, in the year 2024, the present case has been lodged and he do not have criminal antecedent.

5. Learned APP as also learned counsel representing the informant on the other hand oppose the prayer submit that believing the informant that the sale deed is executed, a will has been executed and as such, the act is fraudulent.

6. Considering the submissions of the parties as also on perusing the document which shows that it was purchased for the purpose of execution of will, the execution took place in the year 2012, the F.I.R. is in the year 2024, the petitioner do not have criminal antecedent, F.I.R. is there, he shall be facing the music, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Complaint Case No.1848C of 2024 subject to



the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

**(Rajiv Roy, J)**

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