

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89464 of 2025

Arising Out of PS. Case No.-287 Year-2023 Thana- MUFFASIL District- West Champaran

Minhaj Alam Son of Mohammad Sah Resident of village - Mansha Tola Ward
No.- 32, Police Station - Bettiah Muffasil, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 13-03-2026 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 406, 420 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that he intended to purchase 2 Katha 7 dhur 10 dhurki land for which consideration was fixed at Rs. 9 Lakhs per katha, accordingly, he paid an amount of Rs. 15,20,000/- to petitioner and Mohammad Sah, out of which an amount of Rs. 11,20,000/- was recorded on a non judicial stamp paper with receiving and Rs. 4 Lakhs was paid on trust, but the accused persons including



the petitioner did not execute the sale deed nor returned the money, rather threatened and even demanded Rs. 20 Lakhs by way of extortion, it is next alleged that informant came to know that earlier petitioner in name of getting job in foreign country has cheated many people.

4. Learned counsel appearing on behalf of the informant, at the outset, submits that informant has been cheated of his hard earned money. It is next submitted that the money which was given by way of advance to the petitioner and Mohammad Sah was on a non judicial stamp paper with receiving of the petitioner. It is also submitted that petitioner despite receiving money did not execute the sale deed which amply demonstrates that petitioner right from the beginning had an intention to cheat.

5. Learned counsel appearing on behalf of the petitioner is not in a position to rebut the submission the learned counsel appearing on behalf of the informant that petitioner had taken money by way of advance for which receiving was given.

6. The learned counsel for the petitioner next submits that petitioner is not willing to return the money, but then the dispute is civil in nature to which a criminal colour has been



given, on which the learned counsel appearing on behalf of the informant submits that since petitioner accepted the money in lieu of executing the sale deed with respect to the land as agreed, but later resiled from executing the sale deed that amply demonstrates that petitioner right from the beginning had an intention to cheat.

7. Considering the submissions made by the learned counsel appearing on behalf of the informant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

8. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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