

In the Court Of 1st Additional Sessions Judge, Muzaffarpur**A.B.P No. 507/2026****Md. Sagir..... Petitioner.****Vs.****State of Bihar.....O.P.****O R D E R****23.04.2026**

This application has been filed, for grant of anticipatory bail, on behalf of the accused petitioner, namely, Md. Sagir, in connection with Ahiyapur P.S. Case No. 1216/2025, registered U/Ss 316(2), 318(4), 351(2), 351(3) of the B.N.S., pending in the Ld. Court of C.J.M., Muzaffarpur.

Heard arguments of Ld. Counsel, appearing for the accused petitioner, Ld. Counsel for the informant & Ld. A.P.P. for the State.

Ld. Counsel for the accused petitioner, has submitted that previously no anticipatory or regular bail petitions of any nature had been filed by the accused petitioner, either in this court or before the Hon'ble High Court. That the petitioner has got criminal history of one case. That the petitioner is quite innocent and has falsely been implicated in this case, due to previous grudge and enmity and village politics. That entire allegations, as levelled against the petitioner, are false and concocted. That the prosecution story is totally false and fabricated and the petitioner has no concern with the alleged occurrence. That the petitioner had received Rs. 1 lakh from the informant through UPI in his account for purchasing a second hand PickUP van but he had returned the same amount in cash to the informant and had taken payment receipt and photocopy of payment receipt dated 07.04.2025 has been filed. That other co-accused persons have already been granted bail by the Ld. Court of C.J.M., Muzaffarpur. It has further been submitted that the petitioner has got genuine apprehension of his arrest in this case. Ld. counsel for the petitioner side, prays for his release on anticipatory bail.

Ld. A.P.P. for the state and Ld. Counsel for the informant, opposed the prayer for anticipatory bail.

Perused the record, including the F.I.R. Despite repeated directions, the Ld. APP for the State has not been produced updated case diary. From perusal of the record, it transpires that allegation against the petitioner is that he had taken rupees one lakh, through Phone-pay, from the informant, for the purpose of registry of land in favour of the informant but registry of said land was not done in favour of the

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informant. Contention of the petitioner is that rupees one lakh was taken from the informant for purchasing a Pickup van, which was later on returned back to the informant. From perusal of record, it transpires that the allegation mainly pertains to breach of contractual obligations, involving civil liability and consequences. On the basis of material available on record, prima facie, allegations of cheating and criminal breach of trust do not seem to be attracted against the petitioner, as the dispute appears to be of civil nature. Some other co-accused persons have already been granted bail by the Ld. court of CJM, Muzaffarpur.

Considering the aforementioned facts and circumstances of the case, including nature of allegations, the prayer for anticipatory bail, in respect of accuse petitioner, is hereby **allowed**. Accordingly, in the event of his arrest or surrender within four weeks from today, the accused petitioner, namely, **Md. Sagir**, is directed to be released on anticipatory bail on furnishing a bail bond of Rs. 10,000/- (Rs. Ten thousands) with two sureties of the like amount, to the satisfaction of the Ld. Court below and subject to the conditions, as laid down u/s 482(2) of the B.N.S.S. Let a copy of this order be sent to the court concerned, for needful.

(Dictated)

Sd./-

1st Addl. Sessions Judge
Muzaffarpur