

IN THE COURT OF SESSIONS JUDGE, PATNA

Anticipatory Bail Petition No.946 of 2026.

1. Parwez Alam

2. Saiful Islam

..... Petitioners.

**Versus
The State of Bihar**

**Order
No.**

Date

O R D E R

02 06-03-2026

1. The **petitioners, father and son**, apprehend arrest in connection with **Pirbahore P.S. Case No.176 of 2026**, registered under Sections 316(2), 318(4), 351(2), 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
2. At the outset, learned counsel for the petitioners seeks liberty to file a supplementary affidavit with respect to paragraph 3 of the anticipatory bail application. The request is allowed, and learned counsel is directed to file the supplementary affidavit by the next date of hearing.
3. The prosecution case, as narrated by the informant Sarvari Khatun, is that on 06.08.2025, her eldest son, Parvez Alam (petitioner no.1), coerced her into signing blank papers through a conspiracy involving inducement and threats. Subsequently, she discovered that those signatures had been misused to prepare forged documents, causing her severe financial and mental distress. It is further alleged that her late husband owned a shop in Patna Market, which petitioner no.1 Parvez Alam and his son, Saiful Islam (petitioner no.2), unlawfully seized by compelling her and her younger son to sign documents. They allegedly sold the shop without sharing any proceeds with her or her younger son, Muzaffar Hussain. Moreover, on 05.09.2025, petitioner no.2 visited her residence and insisted on taking her photograph, claiming it was required for the registry office. When she refused, he became aggressive, verbally abused her, and threatened to kill her, stating he would throw her off the roof. On 20.02.2026, both petitioners allegedly continued to abuse and threaten her and Muzaffar Hussain. The informant further asserts that several cases of

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forgery, embezzlement, fraud, and other criminal offences are already registered against the petitioners at Pirbahore and Sultanganj Police Stations.

4. Learned counsel for the petitioners submits that the only non-bailable offences invoked are under Sections 316(2) and 318(4) of the BNS, which carry a maximum punishment of seven years imprisonment and are triable by a Magistrate of the First Class. Learned counsel argues that the FIR merely alleges that the petitioners compelled the informant (mother and grandmother respectively), to sign blank papers purportedly used as conveyancing documents. However, the FIR does not specify which property was allegedly conveyed through such documents. Regarding the allegation of fraudulent sale of the Patna Market shop in 2020, learned counsel contends that the conveyance document was executed jointly by petitioner no.1, the informant, and her younger son, and that the proceeds were duly shared. Further submits that the dispute is essentially a property matter among close relatives, and the petitioners have been falsely implicated. It is acknowledged that petitioner no.1 has two prior criminal antecedents: (i) Pirbahore P.S. Case No.312 of 2020 under Section 420 IPC and Section 138 of the N.I. Act, and (ii) Sultanganj P.S. Case No.221 of 2020 under Section 420 IPC, Section 138 of the N.I. Act, and the SC/ST Act. Petitioner no.2 also has one antecedent in Sultanganj P.S. Case No.221 of 2020 under similar provisions. Learned counsel submits that both FIRs were lodged by a neighbour, Ali Imam, and are motivated.
5. For proper adjudication of the present anticipatory bail application, the office is directed to **requisition the case diary** and details of the petitioners' criminal antecedents from the Investigating Officer.
6. At this juncture, learned counsel for the petitioners prays for interim protection from arrest pending further proceedings.
7. Having regard to the facts and circumstances of the case; the

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nature of the offences, the severity of punishment upon conviction; and the submissions advanced on behalf of the petitioners, this Court is inclined to grant *interim protection from arrest* to the petitioners *until the next date* of hearing in connection with Pirbahore P.S. Case No.176 of 2026. The petitioners are directed to cooperate with the Investigating Officer and remain available to the police whenever required.

8. Re-list on 25.03.2026 for further consideration.

(Dictated)

Sd/-

(Rupesh Deo)
Sessions Judge, Patna

Date of Judgment/Order	06-03-2026
Date of Reserving Judgment/Order	NA
Uploading Date	06-03-2026
Uploaded by	Amjad/-