

IN THE COURT OF DISTT. & ADDITIONAL SESSIONS JUDGE-XXI, PATNA.
Anticipatory Bail Petition No. 983/2026

Khusnud Hasmi

.....Petitioner

V/s

State of Bihar

(Phulwari Sharif P.S Case No.1549/2025)

ORDER

- 30.03.2026** 1. Anticipatory bail petition filed on behalf of the petitioner namely, **Khusnud Hasmi** who is apprehending his arrest in connection with **Phulwari Sharif P.S Case No.1549/2025** registered under section- 406, 420, of I.P.C which is pending in the court of A.C.J.M-IV Patna has been moved by his learned counsel. Learned A.P.P. for the State as well as learned counsel for the informant appeared. Case diary. is available on the record.
2. The case of the prosecution, in short, is informant filed typed application before the SHO Phulwari Sharif,Patna alleging therein that, an agreement for sale was executed between informant and accused persons namely Khusnud Hasmi and Md. Asalam for purchasing residential land at Mauja Rasalpur Aima Alawa Colony Phulwari Sharif, Khata no. 1566, Plot no.1198 measuring area 88.65 sq. feet for the total consideration amount of Rs. 35 Lakhs. At the time of execution of agreement, Rs. 11 lakhs have been paid to the above mentioned accused persons by the informant. It is agreed that rest of the amount will be paid at the time of registration of sale deed. It is alleged that informant came to know that land was already sold to some other person. On enquiry from the accused persons, they acknowledge and agreed to return the amount. Pursuant thereto of Rs. 2 lakhs returned to the informant on 11.06.2025 by the accused Khusnud Hasmi and Rs. 50,000/- were returned by accused Aslam. Further alleged that accused persons refused to return the rest amount and threatened to kill the informant. On the basis of these allegations the aforementioned complaint case has been filed against petitioner .
3. Learned counsel for the petitioner has submitted that petitioner is previously involved in three criminal cases, but on bail in those cases.

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2.

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30.03.2026

Further submits that petitioner has committed no offence and has been falsely and wrongly implicated in this case due to ulterior motive of the informant. Further submits that nature of dispute is civil. Further submits that petitioner has already paid sum of Rs. 3 lakhs to the informant and he is ready to pay rest amount in the manner of as mentioned in settlement deed as an amicable settlement has been arrived between the parties. A joint compromise petition has been filed in this regard. Further submits that the petitioner has never filed any bail application for regular or anticipatory bail prior to this application either before this court or before the Hon'ble High Court, Patna. Further submits that there is no chance of absconding and tampering with the evidence. Further submits that petitioner is ready to furnish the sureties to the satisfaction of the court, hence he prayed for anticipatory bail.

4. On the other hand, the learned Addl. P.P. for the State opposed the prayer for anticipatory bail.

5. Ld. Counsel for the informant submits that informant has received Rs. 3 lakhs from the present petitioner and an amicable settlement has been arrived between the parties.

6. Record as well as case diary perused. On perusal it transpires that petitioner is previously involved in two criminal cases but on bail in those cases as per Para 3 of the bail petition. An amicable settlement has been arrived between the parties and complainant conceded before the court that he has no objection if the petitioner is released on anticipatory bail. A compromise petition to this effect has also been brought on record. Both the offences 406 & 420 of I.P.C are compoundable.

7. Considering the above mentioned facts and circumstances, the settlement arrived at between the parties, petitioner, namely, **Khusnud Hasmi** is directed to be released on anticipatory bail in the event of his arrest or surrender within four weeks of this order on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the

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30.03.2026 court below subject to conditions laid down u/s-482(2) BNSS with further condition :-

- i) Petitioner shall not repeat any such offence in future.
- ii) Petitioner shall not induce, threat or promise to any of the witness acquainted with the facts and circumstances of the case,
- iii) One of the bailor shall be family member of petitioner.
- iv) Petitioner shall appear physically before the trial court on each and every date till framing of charge.

It is however, clarified that nothing expression herein above shall tantamount to an expression of opinion of merits of the case.

(Dictated).

Sd/-

(Sunita Rani)

Dist. &Addl. S.J.XXI,
Patna

Date of Order	30.03.2026
Date of Reserving Order	NA
Uploading Date	01.04.2026
Uploaded by	Rahul/-