

**IN THE COURT OF SESSIONS JUDGE, PATNA**

**Anticipatory Bail Petition No.2872 of 2026.**

1. Md. Shahjad Alam

2. Amir Mehfooz ..... Petitioners.

Versus  
The State of Bihar

Order  
No.

Date

**O R D E R**

02      02-07-2026

1. The present application has been filed by the petitioners apprehending their arrest in connection with **Phulwarisharif P.S. Case No. 1053 of 2026**, registered under Sections 318(4), 336(3), 338, and 340(2) of the Bharatiya Nyaya Sanhita, 2023.
2. As per the prosecution case, the informant, Tahir Hussain, claims to be the lawful owner of land pertaining to Khata No. 1026, Khesra No. 73, Mauza No. 35, Jamabandi No. 7444 (Current Part No. 54, Page No. 16714), within the jurisdiction of P.S. Phulwarisharif, District Patna. It is alleged that co-accused Arif Kamal, by fabricating and utilizing a forged sale deed, falsely impersonated himself as the son of the informant and fraudulently executed a sale of the said property in favour of petitioner No. 1, Shahzad Alam. The said sale deed is stated to have been registered on 23.11.2025 before the District Registry Office, Patna. Further, it is alleged that petitioner No. 2, Amir Mahfooz, along with co-accused Shahrukh Mallick, acted as attesting witnesses to the said document. The informant has also alleged that on 10.06.2025, certain unknown persons unlawfully locked the gate of the aforesaid land and extended threats of dire consequences to his son. On these allegations, the informant has sought legal action against the accused persons for offences relating to forgery, cheating, and criminal intimidation.
3. Learned counsel for the petitioners submits that the only non-bailable offences invoked are under Sections 318(4), 336(3), and 338 of the BNS, which are punishable with imprisonment extending up to life. It is contended that even from the version of the informant, it is evident that petitioner No. 1 is the purchaser of the

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Contd...  
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disputed land, which is alleged to have been sold to him by co-accused Arif Kamal, who falsely represented himself as the son of the informant. It is further submitted that if the allegation is true, then the petitioner No. 1 himself would stand deceived. It is also submitted that petitioner No. 1 has already instituted Title Suit No. 251 of 2026 seeking a declaration that the informant is a stranger to the property and that he is the lawful owner thereof. The petitioners are stated to have no criminal antecedents.

4. For a proper consideration of the anticipatory bail application, the office is directed to **call for the case diary** along with details of the petitioners criminal antecedent from the Investigating Officer.
5. At this juncture, learned counsel for the petitioners seeks interim protection from arrest pending further proceedings.
6. Having regard to the aforesaid facts and circumstances of the case; the submissions advanced on behalf of the petitioners; and the petitioners' clean antecedent, ***interim protection from arrest is granted*** to the petitioner in **Phulwarisharif P.S. Case No. 1053 of 2026 until the next date** of hearing. The petitioners are directed to cooperate with the Investigating Officer and remain available whenever required by the police.
7. List this matter on 18.07.2026.

(Dictated)

Sd/-

(Rupesh Deo)

Sessions Judge, Patna

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|-------------------------|------------|
| Date of Order           | 02-07-2026 |
| Date of Reserving Order | NA         |
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