

In the court of the 1st Addl. Sessions Judge, Sitamarhi.

Anticipatory Bail Petition No. 369/2026

Mohd. Mukhtar Alam & Others..... Petitioner.

Versus

State of Bihar O.P.

ORDER.

22.07.2026.

1. Heard, learned counsel for the petitioner, **(1) Mohd. Mukhtar Alam, (2) Mohd. Anwarul, (3) Mohd. Israfil Ansari and (4) Mohd. Waris Ansari**, who is apprehending his arrest in connection with Complaint Case No. 1162 of 2023, registered under Sections 420 and 465 of the Indian Penal Code. Also heard the learned Addl. P.P. for the State, the learned counsel for the informant.
2. The prosecution case, in brief, is that the complainant, Mohd. Arfin, filed the aforesaid complaint alleging that his father had acquired land appertaining to Khata No. 30, including the land in dispute, through registered sale deeds in the year 1978 and, after mutation, remained in possession thereof and paid rent in his name. It is alleged that subsequently the complainant came to know that the land, which according to him had already been sold in favour of his father, was again transferred by applicants Mohd. Israfil Ansari and Mohd. Waris Ansari through a registered deed in favour of applicants Mohd. Mukhtar Alam and Mohd. Anwarul. It has further been alleged that the applicants attempted to assert their possession over the disputed land and thereby committed cheating and forgery. It also appears that Title Suit No. 626 of 2023 concerning the disputed land is pending before the competent Civil Court at Sitamarhi.
3. Learned counsel for the applicants submits that the applicants are innocent and have falsely been implicated in the present case on account of a bona fide land dispute. It is submitted that applicant nos. 1 and 2 are purchasers of the land through a registered sale deed executed by applicant nos. 3 and 4 and that the transaction was carried out before the competent registering authority after payment of the requisite consideration and charges. It is further submitted that no document was forged or fabricated by the applicants and that the controversy essentially relates to title and possession over immovable property, for which a civil suit is already pending between the parties. It is also submitted that the applicants have no criminal antecedent, there is no likelihood of their absconding or tampering with the evidence, and they undertake to cooperate with the proceedings of the learned court below.
4. Learned A.P.P. has opposed the prayer for anticipatory bail.
5. Considered the submissions advanced on behalf of the parties and perused the materials available on record. Having regard to the nature of the accusation, complaint

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case the fact that the dispute arises out of competing claims concerning transfer, title and possession over immovable property, the pendency of the aforesaid title suit before the competent Civil Court, the nature of the alleged transaction through a registered instrument, the absence of any criminal antecedent attributed to the applicants, and the facts and circumstances of the case, this Court is inclined to extend the privilege of anticipatory bail to the applicants, without expressing any opinion on the merits of the case.

6. Accordingly, the prayer for anticipatory bail is allowed. Let the applicants, namely, **(1) Mohd. Mukhtar Alam, (2) Mohd. Anwarul, (3) Mohd. Israfil Ansari and (4) Mohd. Waris Ansari**, be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each, with two sureties of the like amount each, to the satisfaction of the learned court concerned in connection with Complaint Case No. 1162 of 2023, subject to the conditions laid down under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (B.N.S.S.).

(Dictated & corrected)

Sd/-

(Rajiv Kumar),

District & Addl. Sessions Judge I,
Sitamarhi.

Dated:- 22.07.2026.