

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43610 of 2025

Arising Out of PS. Case No.-436 Year-2018 Thana- KHAJEKALA District- Patna

Asif Hussain @ Asif Ali S/o Late Syed Ekram Hussain @ Late Syed Ekram
Haider Resident of Mogalpura Barkat Khan Ka Akhara, P.S.- Khajekalan,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 04-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with G.R. No. 6221 of 2018 arising out of Khajekalan P.S. Case No. 436 of 2018 for the offence under Sections 406, 420, 384, 506 and 34 of the Indian Penal Code.

3. As per the prosecution story, the informant has alleged that on 18.11.2018, at around 6:30 PM, she gave her Scorpio car (Registration No. BR1PC 9647) for washing. Later, when she went to collect her vehicle, Asif Hussain and Mohammad Ahmed wrongfully kept her car and demanded ₹20,000. When she refused, they verbally abused, assaulted, and threatened to kill her family members.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged in the F.I.R. He has falsely been implicated in this case due to previous enmity and dirty village politics. Nothing happened as alleged in the F.I.R. and the whole prosecution story is false, fabricated and concocted. Learned counsel further submits that nothing incriminating has been recovered from the possession of the petitioner and all the allegation appears to be general and omnibus. The informant is quarrelsome lady and she is habitual to lodge case against several person. It is also submitted that till date, no action has been taken either under Section 82 or 83 of Cr.P.C. against the petitioner.

5. Learned APP opposes the prayer for bail.

6. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna City, in connection with Khajekalan P.S. Case No. 436 of 2018 subject to the conditions as laid down under Section 482 of



B.N.S.S., and further condition is that one of the bailors should be close relative of the petitioner.

8. Learned Judicial Magistrate is directed to verify that whether the process under Section 82 or 83 of Cr.P.C. has been initiated against the petitioner or not. If the process under Section 82 or 83 has been initiated against the petitioner, in that event the present anticipatory bail order shall have no effect.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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