

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63427 of 2025

Arising Out of PS. Case No.-1417 Year-2006 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Md. Ali Akhtar @ Ali Akhtar Devan S/o- Nasib Divan Vill- Jamua, PO-
Jamua P.S- Dhaka, Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Md. Mustafa Khan S/o Md. Mahtab Khan R/o vill - Mehsaul, P.S.-
Sitamarhi, Distt.- Sitamarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zaki Haider

For the Opposite Party/s : Mrs. Pushpa Sinha.1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a complaint
case punishable for offence under Sections 406 and 418 of the
Indian Penal Code.

3. However, from perusal of impugned order dated
16.05.2025, it appears that process under Section 82 & 83 of the
Cr.P.C. has already been issued against this petitioner on
07.09.2009 and 27.02.2012 respectively. The case is of the year
2006.

4. Accordingly, this anticipatory bail application is not
maintainable, in view of several decisions of the Supreme



Court, rendered in the case of (i) Lavesb v. State (NCT of Delhi), reported in (2012) 8 S.C.C. 730, (ii) State of MP v. Pradeep Sharma, reported in (2014) 2 S.C.C. 17, and (iii) Prem Shankar Prasad v. State of Bihar, reported in 2021 SCC Online SC 955.

5. Considering the same, the application, filed for grant of anticipatory bail to petitioner, stands dismissed.

(Prabhat Kumar Singh, J)

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