

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88441 of 2025

Arising Out of PS. Case No.-800 Year-2025 Thana- SHASTRINAGAR District- Patna

Saquib Imam @ Saquib Mallick S/o- Fazal Imam R/o- Samanpura Chaudhari
Hotal Gali, Raja Bazar, P.S- Shastrinagar, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Tiwary

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 22-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Shastrinagar P.S. Case No. 800 of 2025, F.I.R dated 26.10.2025 registered for the offences punishable under Sections 75, 76, 352, 351(2), 3/5 of BNS and 37 of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, on 26.10.2025 at about 1:05 A.M., the informant, Dr. Ayesha, while returning from her workplace at Satkriti Hospital, Ashiana Digha Road, was allegedly followed by a person riding a Bullet motorcycle from Chaudhari Gali up to her residence. It is alleged that the said person, who appeared to be under the influence of alcohol, attempted to trespass into her house by pushing her, tried to snatch her mobile phone, threatened to cause harm, and



identified himself as Mohd. Saquib Mallick. It is further alleged that he called his brother, Faisal Imam, to bring more persons. In the meantime, the informant called the police, whereupon the accused fled from the spot on the motorcycle. On the basis of the fardbeyan recorded on 26.10.2025, Shastrinagar P.S. Case No. 800 of 2025 was registered against the petitioner and his brother under the relevant sections.

4. Learned counsel for the petitioner submits that merely on the basis of parking dispute with *Dr. Sadir Baksh* at this instance, the petitioner is a teetotaler and never consumed liquor in his entire life and has been falsely implicated in this case, and this petitioner has one antecedent related to 2014 and he is on bail. It has next been submitted that the CCTV installed at the place of occurrence would speak of itself but the police didn't verify the same to test the veracity of the allegation as alleged in the First Information Report, and there is no independent witness to this prosecution story, and this petitioner is said to be man of means and ready to abide the terms and conditions imposed for grant of anticipatory bail.

5. Learned APP for the State submits that with a caveat that in case of similar complaints are found in the future then, the police may be put at liberty to examine the allegations, and finding them to be true, the appropriate steps for cancellation of bail may be directed.



6. Considering the submission of the parties and the material evidence having not been examined, this Court is of the view that the privilege of anticipatory bail be extended with the caveat that in case similar allegations are found in future then, the same shall be examined by the police, and on finding the substance in the same, either the police or informant are put at liberty to take the recourses as provided in law for seeking cancellation of bail and, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise II, Patna in connection with Shastrinagar P.S. Case No. 800 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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