

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10820 of 2026

Arising Out of PS. Case No.-448 Year-2025 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Aquib Hashmi @ Akib Hashmi, S/o Md. Hashmi @ Md. Hashim, R/o
Chandwara Azad Road, Darji Tola, P.S.- Town, Distt.- Muzaffarpur
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Ritwik Thakur, Advocate Mrs. Vaishnavi Singh, Advocate
For the State	:	Mr. Manoj Kumar, APP
For the Informant	:	Mr. Jharkhandi Upadhyay, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State duly assisted by

learned counsel appearing for informant.

2. The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Muzaffarpur Town
P.S. Case No.448 of 2025 registered under Sections 316(2),
and 318(4) read with 3(5) of the Bhartiya Nyaya Sanhita,
2023 (in short 'B.N.S.').

3. Allegation against petitioner is to cheat the
daughter of informant the gold jewellery worth of Rs.15 lakhs
after developing friendship with her.

4. It is submitted by learned counsel appearing for



petitioner that the daughter of informant was in love with this petitioner and as the affair could not approved by the parents, the present false case was lodged. It is submitted that in fact the gold jewellery in issue was taken by the daughter of informant herself, which under her consent was deposited with M/s. Muthoot Finance. It is submitted that later on during investigation, the daughter of informant communicated to the SHO, Katra Police Station, Muzaffarpur that petitioner is her husband and he has been falsely implicated with present case and the statement to that effect was also filed before the court of CJM, Muzaffarpur. Arguing further, it is submitted that the vagueness of allegation can be gathered safely, as while concluding the FIR, the informant said that the gold, which alleged to be taken away by her daughter was worth of Rs.80-90 lakhs and this variation in statement *prima facie* suggest that it was lodged with oblique motive primarily as informant was not willing to approve the relationship, as submitted aforesaid. It is submitted that petitioner found involved in one more criminal case, which was lodged by the husband of informant regarding kidnapping of his daughter



Halima Fatima, who claimed herself as wife of this petitioner.

5. Learned APP duly assisted by Mr. Jharkhandi Upadhyay, learned counsel appearing for the informant while opposing the prayer of bail submitted that the allegation is specifically available against this petitioner, who cheated the daughter of informant but fairly conceded that no complaint in this regard was made by the victim, who is the daughter of informant.

6. In view of aforesaid factual submissions and by taking note of overall nature of accusation, where allegation of cheating *prima facie* not appears convincing, coupled with the fact that petitioner appears in litigating terms with husband of informant, as mentioned aforesaid, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Muzaffarpur Town P.S. Case No.448 of 2025, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short ‘CrPC’)/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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