

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15293 of 2026

Arising Out of PS. Case No.-163 Year-2016 Thana- UCHKAGAON District- Gopalganj

Md. Asraf @ Ashrey Hussain S/O Satar Miya @ Abdul Sattar Village-
Jalaladi Tola, P.S.- Uchakagaon, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-03-2026 Heard Mr.Javed Aslam, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending arrest in connection with Uchakagaon P.S. Case No. 163 of 2016 instituted under Sections 420, 467, 468, 471, 120-B/34 of the Indian Penal Code lodged on 01.08.2016 by the informant, Navin Kumar.

3. As per the prosecution story, the informant alleged that for issuance of a new passport, the petitioner approached the police station but on query, despite he having name of Md. Asraf gave the name as Ashrey Hussain. When the police asked that the passport verification report is relating to Md. Asraf why he has come, the disclosure was that he also have alias name. Upon further query, he blamed the agent for the same. This led to the FIR.



4. Learned counsel for the petitioner submits that he do have alias name but on query, he failed to give the original name. When the FIR was lodged, he was granted bail by the police on personal bond but now when he is apprehending arrest after eight years, the anticipatory bail. He submits that the petitioner is ready to cooperate with the police as also the passport office in this regard.

5. Learned APP opposes the prayer submitting that he gave a different name.

6. Considering the submissions of the parties as also that he has no criminal antecedent, an undertaking has been given that he shall be cooperating with the police as also the passport office, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Uchakagaon P.S. Case No. 163 of 2016 to the satisfaction of learned ACJM-1, Gopalganj subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) the petitioner shall be appearing before the police station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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