

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19115 of 2020**

Arising Out of PS. Case No.-4 Year-2018 Thana- MAHILA PS District- Gopalganj

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HASMUL ANSARI @ MD. HASAN S/o Late Noor Hassan Ansari @ Late
Noor Hassan Resident of Village- Basahan, P.S.- Vijaipur, Distt- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 03-06-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Gopalganj (Mahila) P.S. Case No. 4 of 2018 registered for the offence under sections 448, 376, 354, 506 and 34 of the Indian Penal code and section 66(a) and 66(c) of the I.T. Act.

As per allegation in the FIR, it is stated that while the informant was sleeping alone in her house, one Samshul Ansari came and caught hold of the informant's hand and on the threat of hurting her, committed rape on her. It is further stated that he threatened that in case she disclosed about the occurrence to any other person, he will upload the video that he had made on the internet. It is further stated that even after the marriage was



fixed, the three named accused persons including the petitioner herein spread the video and also sent a copy of the same to the groom.

It is submitted by learned counsel for the petitioner that the allegations as made in the FIR against the petitioner are false and concocted. There is no explanation for the delay in lodging of the FIR. From the contents of the FIR, it would transpire that the main allegation is against Samshul Ansari and the petitioner has been falsely implicated in the case only for the reason that he happens to be his brother. It is submitted that the petitioner has no criminal antecedent and is in custody since 27.01.2020. It is further submitted that co-accused Sallah Ansari and Tufail Ansari have been enlarged on bail, a copy of the order which has been brought on record as Annexure-2 to the petition.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case specially the grant of bail to the other co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Gopalganj



(Mahila) P.S. Case No. 04 of 2018 on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Gopalganj.

(Partha Sarthy, J)

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