

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32914 of 2024

Arising Out of PS. Case No.-45 Year-2023 Thana- Mahila District- Arwal

Akhtar Ansari @ Akhtar Alam Son of Kalam Ansari @ Md. Kamaluddin
Ansari Resident of Village- Sahjeevan Dargah , P.S- Kurtha ,Dist- Arwal

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 25-09-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Arwal Mahila PS Case No. 45 of 2023 dated 16.10.2023 registered for the offence under Section 376, 506, 34 of the IPC.

3. As per the prosecution case the informant (victim) filed a written report before the Mahila P.S. Arwal alleging therein that she is a married lady and her cousin gotiya Arman Ansari used to park his bike in the “Dalan” of her uncle and used to talk with her. One day Arman Ansari made a video of the informant while she was taking bath at her home and thereafter pressurized the informant to establish physical relationship with her putting her in fear that the video would be made viral. The husband of the informant lives in Saudi Arabia for livelihood. It has further been alleged that the accused Arman Ansari also gave the



mobile no. of the informant to his relative Akhtar Ansar (petitioner) and he also threatened the informant of making the video viral and established physical relationship with her at a hotel in Arwal and once in a room at Motipur by black mailing her.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and has been falsely implicated in this case only because he happens to be a relative as well as close friend of the co-accused Arman Ansari. He submits that though it is alleged that the petitioner established physical relationship with the informant twice once in a hotel and once in a room at Motihpur where the informant reached on the instruction of the petitioner, however no date, time and year of occurrence has been disclosed. The informant neither in her written report nor during the course of investigation has disclosed as to when the petitioner forced her to make physical relation and at which place. Even the mobile no. of the petitioner has not been disclosed by the informant to the Investigating Officer. The present FIR has been lodged after an abnormal delay of three years. It is submitted that the co-accused Arman Ansari has been granted regular bail by the 1st Additional Sessions Judge, Jehanabad in B.P. No. 100



of 2024. The petitioner has got no criminal antecedent.

5. I have heard learned counsel for the petitioner and perused the material available on record. The present petitioner is F.I.R. named accused. Allegation against the petitioner is that he established physical relationship with the victim by blackmailing her to viral her video. The learned 1st Addl. Sessions Judge, Jehanabad in A.B.P. No. 1901 / 2023 has recorded that the informant in her restatement in paragraph no. 2 of the case diary has supported the case of the prosecution. The victim in her statement under Section 164 Cr.P.C. has reiterated her earlier version.

6. In view of the facts and circumstances particularly taking into consideration the fact that there is direct allegation against the petitioner supported by the statement of the prosecutrix recorded under Section 164 Cr.P.C., I do not consider it a fit case for grant of pre-arrest bail. Accordingly, the prayer for grant of anticipatory bail is rejected.

(Anil Kumar Sinha, J)

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