

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13606 of 2025

Arising Out of PS. Case No.-236 Year-2023 Thana- BUDDHACOLONY District- Patna

Md. Naseem S/O Md. Waseer Resident of Mohalla Bans Ghat, Behind Pump
House , Budha Colony , Patna, Police Station- Budha Colony , District- Patna
... .. Petitioner/s

Versus

1. The State of Bihar
2. Riya Kumari D/O Gajendra Sahani Resident of Sumerganj, Police station-
Goraul, District- Vaishali at Hajipur
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 15-05-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State, Shri Chandra Bhushan Prasad.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 376D,
120B, 34 and 420 of the Indian Penal Code.

3. The S.H.O, Budha Colony P.S, Patna, and the
Investigating Officer of the case, in compliance of the order
dated 12-5-2025, are present in the Court.

4. The learned counsel appearing on behalf of the
petitioner submits that during the course of investigation, it has
come that informant has married thrice and presently also she is
not staying with her third husband, further, the medical report
also does not corroborate rape and petitioner is completely
unaware that who Vipin Kumar is, nor during the course of



investigation any material was collected to identify, who Vipin is against whom it is alleged that it was Vipin, who brought the informant to the petitioner on the pretext of getting a job and thereafter both committed rape. The learned counsel for the petitioner further submits that even the medical report does not corroborate rape.

5. The SHO and the Investigating Officer of the case, who are present in the court, fairly submit that they made all endeavours to apprehend Vipin, but then Vipin could not be apprehended, though it is the case of the informant that Vipin is her neighbour, but then when the police went to arrest Vipin, it was found that he does not stay near the house of the informant. The Investigating Officer also submits that the injury report does not corroborate rape.

6. The learned APP fairly submits that investigation is in its nascent stages, and if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to establish his innocence.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Budha Colony P.S. Case No. 236 of 2023, subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

10. The personal appearance of the SHO, Budha Colony P.S., Patna, and the Investigating Officer of the case, is dispensed with.

(Satyavrat Verma, J)

SUMIT/-

U		T	
---	--	---	--

