

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18462 of 2025

Arising Out of PS. Case No.-474 Year-2024 Thana- SHAHPUR PATORI District- Samastipur

Md. Balal Khan S/O Late Haider Khan R/O Village - Piru, P.S.- Haspura,
District - Aurangabad, Bihar currently posted as ASI As Patori P.S. at
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-07-2025 Heard Mr. Mritunjay Kumar, learned counsel for the

petitioner and Mr. Damodar Prasad Tiwary, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Patori P.S. Case No. 474 of 2024, FIR dated
03.12.2024 registered for the offences punishable under
Sections 74, 75, 76 and 78 of the Bharatiya Nyaya Sanhita,
2023.

3. According to prosecution case, the informant
alleged that in the month of Falgun 2024, she visited the room
of the petitioner to enquire about her case (F.I.R. No. 425 of
2022) as he had called her earlier. During the visit, the petitioner
allegedly assured her of bail, then locked the room from inside



and began behaving inappropriately. When she resisted, he allegedly tried to outrage her modesty. She screamed, fled the room and returned home. Due to fear stemming from other criminal cases pending against her, she initially did not share the video. However, after securing bail in all her cases, she released the video to the media and made it viral.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case and the petitioner has not committed any offence as alleged in the F.I.R.

5. Learned A.P.P. for the State on the basis of material available on record and case diary, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the statement of the victim recorded under Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in which she has stated about the present occurrence which was recorded in paragraph-11 of the case diary in which she has stated that the petitioner has tried to commit rape upon her, apart from that, it has come during investigation in paragraph-29 of the case diary that one Pen Drive was produced which suggests that the petitioner has tried to commit rape upon the informant.

6. Considering the aforesaid fact and



circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Patori P.S. Case No. 474 of 2024 pending in the court of learned Judicial Magistrate-1st Class, Samastipur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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