

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41396 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- BAHERI District- Darbhanga

Anil Kumar Sah S/o Sashikant Prasad Sah @ Mangal Sahu @ Mangal Sah @
Shashikant Prasad Sahu R/o Village- Amta, P.S.- Baheri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Jha, Adv.

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 06-08-2025 Heard Mr. Kanchan Jha, learned counsel for the

petitioner and Mr. Kumar Ranjit Ranjan, learned APP for the

State.

2. The petitioner has prayed for bail in connection
with Baheri P.S. Case No. 125 of 2025 registered for the offence
punishable under Section 64 of the B.N.S., 2023.

3. The case of the prosecution is that on the alleged
date of the occurrence at 02:15 AM, the informant came to her
house and at 02:15 AM went to ease herself with her cousin
sister Manisha Kumari. It is further alleged that Anil Kumar
took her in his grocery shop and committed rape with her.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this



case. He also submits that in this case, the informant and his cousin sister both have given their statement recorded under Section 183 of the BNSS, wherein Manisha Kumari has not supported the occurrence, whereas the informant has stated in her Statement under Section 183 of the BNSS that the petitioner pulled the hands of both the sisters and after that he committed rape. From perusal of the injury report also, it will transpire that the doctor has opined that there is no recent evidence to suggest sexual intercourse with her. Moreover, there is contradiction in the Statements of two sisters, which according to the FIR have gone to ease their-selves and from perusal of the Statement of the informant, it is clear that the petitioner has pulled both the sisters in her shop in such condition, the cousin of the informant namely, Manisha is the most competent witness and she has not supported the occurrence. It has lastly been Petitioner is languishing in judicial custody since 10.04.2025.

5. The application for bail is opposed by learned APP for the State and submits that a statement has been made in para- 3 of the petition that petitioner has one criminal antecedent.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is



inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VII, Darbhanga in connection with Baheri P.S. Case No. 125 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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