

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45293 of 2025

Arising Out of PS. Case No.-331 Year-2024 Thana- PIPRA District- Supaul

Md. Ehasan @ Aesam @ Chhotka Ansari @ Md. Aeshan @ Aesam Ansari
Son of Atabul Ansari Resident of village - Sakhua, Ward no.- 1, P.S.- Pipra,
District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the State : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Pipra P.S. Case No. 331 of 2024, dated
27.10.2024, registered for the offences punishable under
Sections 127(2), 329(4), 316(2), 87, 64, 115(2), 305, 352,
351(2) and 3(5) of B.N.S., 2023.

3. As per allegation, the informant is a married lady
and her husband is living abroad for the last two years.
However, the accused-petitioner, by making promise for
marriage to the informant, has been establishing physical
relationship with her for the last two years. It is further alleged
that on the last occasion, the accused-petitioner forcibly



committed rape upon her and on cry for help, the family members of the informant came and apprehended the accused-petitioner red handed in naked condition.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is a brother-in-law of the informant, because he is cousin of her husband and there is no truth in the allegation. He further submits that even as per the alleged facts and circumstances, it clearly shows that the alleged act is consensual in nature and no offence is made out.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his



furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Pipra P.S. Case No. 331 of 2024 , subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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