

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 46053 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- PHULPARAS District- Madhubani

Chhotu Sah @ Chhote Sah S/O Mahajan Sahoo R/O Village- Siswabarhi, P.S-
Phulparas, Distt.- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Kumari D/O Satish Yadav R/o Village- Teghra, P.S- Khutauna,
Distt.- Madhubani. Presently residing W/O Birendra Yadav, Resident of
Village- Siswabarhi, P.S- Phulparas, Distt.- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hriday Narayan Harshit
For the Opposite Party/s	:	Mr. Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-08-2025 Heard Mr. Hriday Narayan Harshit, learned counsel
for the petitioner and Mr. Dr. Mrityunjaya Kr. Gautam, learned
APP for the State.

2.The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Phulparas P.S. Case No. 49 of 2025 instituted for the
offence under Sections 69 and 89 of the B.N.S., 2023.

3. The case of the prosecution is that the informant is
a married lady and her husband was living outside for his
livelihood. It is alleged that this petitioner trapped her in his net
and by giving all kinds of temptation, forcefully entered in her
house, had physical relationship with her. It is further alleged



that due to the physical relationship, she got pregnant. She disclosed all the incident to her husband on his arrival.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He also submits that this case has been filed after a delay of nine months, which is not explained. It has also been submitted that no medical examination of the victim has been conducted. The real fact is that the petitioner is a shopkeeper and the informant has taken articles from him on credit and when he demanded his cash, this false case has been filed. He further submits that a statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner but he has conceded to the argument of the learned counsel for the petitioner that there is long delay in filing of complaint and no medical examination of the victim was conducted.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of



four weeks from today and in the event of his arrest or surrender in connection with Phulparas P.S. Case No. 49 of 2025, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Jhanjharpur, Madhubani, subject to the conditions as laid down under section 482(2) of the BNSS.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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