

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48589 of 2025**

Arising Out of PS. Case No.-57 Year-2025 Thana- ITARHI District- Buxar

- 
1. Ismail Ansari S/o Imtiaz Ansari R/o Vill- Khanita, P.S.- Itarhi, Distt- Buxar, Bihar
  2. Imtiaz Ansari @ Imtiaz Hajam S/o Late Suljan Ansari @ Suljan Hajam R/o Vill- Khanita, P.S.- Itarhi, Distt- Buxar, Bihar

... .. Petitioners

Versus

1. The State of Bihar
2. Rima Devi W/o Shri Binod Yadav R/o Vill- Khanita, P.S.- Itarhi, Distt- Buxar, Bihar

... .. Opposite Party

---

**Appearance :**

|                          |   |                               |
|--------------------------|---|-------------------------------|
| For the Petitioner/s     | : | Mr.Bindeswari Singh, Advocate |
| For the Opposite Party/s | : | Mr.Madhura Nand Jha, APP      |
| For the complainant      | : | Ms.Dimpal Kumari, Advocate    |

---

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      11-11-2025                      Heard learned counsel for the petitioners and learned APP for the State duly assisted by Ms. Dimpal Kumari, learned counsel for the complainant.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Itarhi P.S. Case No. 57 of 2025, G.R. No. 960/2025, registered for the offences punishable under Sections 115(2), 64, 74, 303(2), 62 of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') on the basis of Complaint Case No. 100/2025 dated 24.02.2025.

3. The allegation against the petitioners is to made an attempt to commit rape upon complainant aged about 26 years



on 08.12.2024 at about 6:30 P.M.

**4.** Learned counsel appearing on behalf of the petitioners submitted that brother of petitioner no. 2 namely, Rashid Hazam was murdered by husband of the complainant, for which Itarhi P.S. Case No. 126/2024 was lodged on 27.06.2024. It is pointed out that to counter the aforesaid case, the complainant lodged the present false case against the petitioners, who are brother of the deceased and witnesses of the aforesaid FIR.

**5.** It is further submitted that even the narration, as raised through present complaint, creates a doubt *qua* occurrence that how a person having country made pistol in his hand can molest the complainant in such a manner as described in the complaint petition. While concluding argument, it is submitted that petitioners are of clean antecedent.

**6.** Learned A.P.P. for the State duly assisted by Ms. Dimpal Kumari, learned counsel appearing for the informant, while opposing the prayer for anticipatory bail of the petitioner, submitted that allegation of molestation and made an attempt to commit rape upon the complainant/informant is specifically available against these petitioners.



7. In view of the aforesaid factual submissions and by taking note of the fact as the overall accusation, as raised through present complaint petition, *prima facie* based on the background of previous enmity as discussed aforesaid, coupled with the fact that petitioners appear men of clean antecedent, accordingly, above-named petitioners, in the event of their arrest/surrender within a period of four weeks of this order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1<sup>st</sup> Class, Buxar/concerned court in connection with Itarhi P.S. Case No. 57 of 2025, G.R. No. 960/2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

