

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58506 of 2025

Arising Out of PS. Case No.-91 Year-2025 Thana- MAHALGAON District- Araria

=====

Ankit Kumar Biswas @ Ankit Kumar S/O Birendra Biswas R/O Vill.- Tekni
Ward No. 4, P.S.- Mahalgaon, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kamal Biswas S/O Umman Biswas R/O Vill.- Tekni Ward No. 3, P.S.-
Mahalgaon, District- Araria

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Md Naushaduzzoha, Adv
For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with

Mahalgaon P.S. Case No. 91 of 2025 registered for the offence

under Sections 64, 76 and 351(2) of the BNS.

3. The petitioner is named in the F.I.R. and is in custody

since 01.07.2025.

4. As per FIR, petitioner alleged to commit penetrative

sexual assault upon daughter of informant aged about 17 ½ years.

5. Learned counsel appearing on behalf of the petitioner

submitted that during course of investigation statement of

petitioner was recorded, where she categorically stated that she

was in love affair with petitioner since last two and half years prior

to lodging this FIR. She was also desirous to solemnize her



marriage with petitioner, but subsequently this petitioner refused to marry her, consequent upon present FIR was lodged. It is also submitted that victim also stated that while on one occasion when younger brother of victim witnessed victim with petitioner together, he was apprehended and matter was reported to police. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that as per school certificate the age of victim is 14 years old and upon medical examination she was found between age group of 14 to 16 years. It is pointed out that victim while recording her statement under Section 183 of the BNSS stated that physical relation was established on the promise of marriage.

7. In view of aforesaid factual aspects and by taking note of fact as present FIR was lodged only when victim was found together with petitioner, where allegation as to establish physical relationship appears raised in the background of false pretext of marriage, where admittedly informant was in love affairs with petitioner for last two and half years prior to lodging this FIR,



coupled with fact that investigation of this case already completed where petitioner remains in custody since 01.07.2025, accordingly petitioner above named, is directed to be released on bail in connection with Mahalgaon P.S. Case No. 91 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Araria/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

