

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61682 of 2025

Arising Out of PS. Case No.-47 Year-2024 Thana- MAHILA P.S. District- Kishanganj

Ansar Alam S/o Late Mahiruddin R/o Village- Sitagachh Birnia, P.S.-
Bahadurganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. NK Agrawal, Sr. Adv. Mr. Firoz Ahmad, Adv.
For the Opposite Party/s	:	Mr. Aditya Narayan Singh.1, Adv.
For the Informant	:	Mr. Raj Kumar, Adv. Mr. Pratik Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 13-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with Kishanganj Mahila P.S. Case No. 47 of 2024 registered for the offence under Sections 341, 342, 323, 376, 417, 419, 420, 504, 34 of the I.P.C.

3. The petitioner is named in the F.I.R. and is in custody since 15.05.2025.

4. The allegation against the petitioner is to establish relation/ rape upon informant who is 34 years old widow lady, alleged further to take loan of Rs. 4 lakh from informant which was denied to return on demand.



5. Mr. NK Agrawal, learned senior counsel appearing on behalf of the petitioner submitted that allegation of rape raised in the background of false pretext of marriage and also out of certain monetary disputes as alleged by informant herself. It is further submitted that corporeal relation on false pretext of marriage cannot be termed as rape and in support of his submission learned senior counsel relied upon the legal report of Hon'ble Supreme Court as available through ***Pramod Suryabhan Pawar vs. State of Maharashtra and Anr.*** reported in ***(2019) 9 SCC 608.*** 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 allegation of rape is specifically available against this petitioner but he could not disputed aforesaid submissions as advanced by learned senior counsel.



7. In view of aforesaid factual submission and by taking note of fact as allegation of rape raised prima-facie in the background of false promise of marriage and also monetary disputes, coupled with fact that investigation of this case already completed where petitioner remains in custody since 15.05.2025, accordingly petitioner above named, is directed to be released on bail in connection with Kishanganj Mahila P.S. Case No. 47 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Kishanganj /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)

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