

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73769 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- MAHILA P.S. District- Bhojpur

1. Ranjan Kumar @ Ranjan Kumar Singh S/o Lakshman Singh @ Upendra Singh Resident of Village - Baghi Pakad, P.S - Dhobahan, District - Bhojpur

2. Appu Kumar Singh @ Prince Kumar S/o Birendra Singh Resident of Village - Baghi Pakad, P.S - Dhobahan, District - Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar

2. xxxxxxxxxxxx yyyyyyyyyyyyyy Resident of village-Baghipakad, P.S.- Dhobahan, District-Bhojpur.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 65503 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- MAHILA P.S. District- Bhojpur

Ankit Kumar @ Ankit Kumar Singh S/O Sanjay Singh @ Dhanjay Singh @ Dhananjay Singh R/o Village- Baghi Pakad, PS- Dhobahan, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar

2. Sobha Kumari D/O Ratan Singh R/o Village- Baghi Pakad, PS- Dhobahan, District- Bhojpur

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 73769 of 2025)
For the Petitioner/s : Mr. Akanksha Malviya, Advocate.
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP
(In CRIMINAL MISCELLANEOUS No. 65503 of 2025)
For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate.
Mr. Binit Kumar, Advocate.
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

320-11-2025

1. Heard learned counsel for the petitioners and learned A.P.P. for the State.



2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 70(2), 351(2) of the B.N.S., 2023 and Section 6 of the POCSO Act, 2012.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on 12.07.2025 at 01:00 AM, the informant was called through the window by Appu and Ranjan to Ranjan's terrace, thereafter they went on the terrace of Ranjan, where they both committed wrong with her, further 15 days' prior Ankit Kumar had also committed wrong with her in presence of Appu and Ranjan and had threatened not to disclose the occurrence otherwise her brother will be killed, it is next alleged that her brother brought her to police station for instituting the case.

4. The learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that petitioners have been falsely implicated in the instant case by the informant at the instance of her brother. It is next submitted that the informant alleges that at 01:00 AM in the morning, Appu and Ranjan came to her house and asked her to accompany them, based on which she willingly accompanied them to the terrace of Ranjan, where it is alleged that Ranjan and Appu committed rape. It is submitted that informant was on friendly terms with Appu and Ranjan and had accompanied them willingly,



but then no wrong was committed. It is also submitted that even injury report does not corroborate rape. It is also submitted that as far as Ankit is concerned, against him it is alleged that Ankit 15 days' prior to the instant occurrence had also committed wrong in presence of Appu and Ranjan, but then it is submitted that had such an occurrence taken place in that event the informant would have instituted a case, but then no case came to be instituted. The learned counsel for the petitioners next submits that the statement of the victim was recorded under Section 183 BNSS. It is submitted that from perusal of her statement as recorded under Section 183 BNSS, it would manifest that the victim herself was confused, rather it appears that the instant FIR came to be instituted at the behest of the brother of the informant as the informant had stated that had her brother not seen them in that event the instant FIR would not have been instituted. It is also submitted that though the victim stated that the petitioners along with Ankit committed wrong but then she also states that she did not stop them, as such it appears that victim under the pressure of her brother is falsely trying to implicate the accused persons i.e. on one hand she states that they committed wrong but on the other she states that she did not stop them and on her own volition she had accompanied them. It is reiterated and submitted that even injury report does not corroborate rape.



5. The learned APP for the State opposes the anticipatory bail application but then is not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that injury report does not corroborate rape and the statement of the victim as recorded under Section 183 BNSS amply demonstrates that at the behest of her brother, the present FIR came to be instituted.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Mahila Thana P.S. Case No.62/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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