

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66618 of 2025

Arising Out of PS. Case No.-373 Year-2025 Thana- BHABHUA District- Kaimur (Bhabua)

Rustam @ Rustam Ansari, S/o Nazeer Ansari, R/o Mohalla- Bhabua Ward
No. 22, P.S.- Bhabua, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-09-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Bhabhua P.S. Case No. 373 of 2025, registered for the
offences punishable under Sections 126(2), 115(2), 109, 351(2),
303(2), 140(4) and 3(5) of the Bharatiya Nyaya Sanhita.

3. Allegedly while the informant was returning from
the market, in the meanwhile, 3 persons intervened the
informant and snatched her mobile. It is further alleged that co-
accused Sameer, forced her to sit on his motorcycle after
putting on threat; other two persons were also following them
with their motorcycle. While the accused persons were
proceeding towards Mohania, the informant having noticed a



police jeep on the road, jumped from the motorcycle, due to which she sustained some injuries and later on, treatment was done in the hospital and thereafter, the FIR was instituted.

4. Learned Advocate appearing on behalf of the petitioner submitted that from the FIR it is evident that it is co-accused Sameer who had forcibly taken away the victim and two of the unknown persons were following them. However, at the fag end of the written report, she has disclosed the name of the petitioner; but, without there being any allegation, regarding his role in the entire episode of occurrence. During the course of investigation, it also transpired that on the alleged date of occurrence, the petitioner was not even present there. The surprising aspect of the matter cannot be overlooked as though the petitioner jumped off in front of the police jeep, but at that point of time, no FIR was instituted and after getting her treatment done, the FIR was instituted. The petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation and the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application.

6. Having considered the submissions set forth by learned Advocate for the parties and noticing the absence of any



allegation, coupled with the fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 373 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with a further condition that in case the petitioner shall be found involved in teasing and pressurizing the victim, she would be at liberty to file an application for cancellation of the petitioner's bail and also with a further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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