

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2580 of 2026

Arising Out of PS. Case No.-75 Year-2025 Thana- Gaura P.S. District- Saran

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Sumeer Kumar Das @ Samir Kumar Das Son of Chandrashekhar Das R/o
Village - Baropur, P.S.- Baniapur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjani Parashar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Gaura P.S. Case No. 75 of 2025 registered for the offences
under Sections 64, 318, 351 and 77 of the B.N.S.

3. As per the prosecution case, the allegation against
the petitioner is that he took undue advantage of the informant
and committed rape upon her about four years ago.

4. Learned counsel for the petitioner submits that
from the perusal of the original complaint, on the basis of which
the present F.I.R has been registered, it would appear that the
alleged date of occurrence is said to be January, 2022, whereas
the complaint was filed in the month of April, 2025. It has
further been submitted that the petitioner has falsely been



implicated in the present case merely because he has been demanding return of the money which was given to the informant during the COVID period. It has next been submitted that the petitioner is a student and has been preparing for competitive examinations and that the present allegation of threatening to make the obscene video and photographs viral is wholly concocted and nothing has come on record in course of investigation in support thereof. It has also been submitted that the petitioner is ready and willing to cooperate in the trial. It has lastly been submitted that the petitioner carries clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Gaura P.S. Case No. 75 of 2025 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with



corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.



7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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