

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7248 of 2026

Arising Out of PS. Case No.-46 Year-2025 Thana- MAHILA P.S. District- Bhagalpur

Aashif Ansari Son of Jaffir Ansari Resident of Village- Dighi, P.S.- Mahgama,
District- Godda (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md.Najmul Hodda, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 08-05-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bhagalpur Mahila P.S. Case No. 46 of 2025 registered for the offence punishable under Sections 69, 115(2), 352 and 3(5) of the B.N.S., lodged on 21.07.2025 by the informant Najrana Khatoon.

3. Pursuant to the last order, Mrs. Lucy Kumari, SHO Mahila P.S. Bhagalpur-cum-Investigation Officer of this case is present in the Court.

4. As per the prosecution story, the informant alleged that due to the health issue that cropped with the maternal aunt, she was called for health and care, there, happy with the help that was given by the informant she wanted her to be the daughter-in-law for her son.



5. In course of time, the petitioner lured and made physical relationship which resulted into her pregnancy and later he denied that this child in the womb belongs to him. Later, when she wanted to have conversation, was abused and assaulted. This led to the F.I.R.

6. The case of the petitioner as narrated by the learned counsel throughout the argument is/was that she being the cousin sister, there can not be any relationship much less the physical intimacy.

7. The petitioner took the plea of delay in lodging the F.I.R. before the learned Sessions Judge and there was no question of any sexual act by him as he never established any physical relationship with the informant.

8. The learned Sessions Judge dismissed the anticipatory bail application on 14.11.2025 whereafter the present anticipatory bail application. The matter was heard on 17.02.2026 and 25.02.2026 and here too, the categorical statement of the petitioner is/was that he never had any physical relationship with the girl and the child who has come in this world is not out of any such relationship.

9. The learned counsel on the instruction of the petitioner submitted that he want himself to be medically



examined by undergoing DNA test *vis a vis* the child in question for which he is ready to pay Rs.5,000/- by Demand Draft in favour of Jawaharlal Nehru Medical College and Hospital, Bhagalpur.

10. The victim girl was also present in the Court on 25.02.2026 and Mr. Rajiv Ranjan Singh representing her submitted that she is also ready to have the child who now have arrived in the world to be examined through D.N.A. Test vis-a-vis the petitioner to let the the world know that he is the biological father.

11. In that background, this Court directed the **Superintendent of Jawaharlal Nehru Medical College and Hospital, Bhagalpur** to ensure that on 16.03.2026, the DNA samples are taken by a specially constituted Board once the petitioner deposit Rs.5,000/-. The samples were to be sent to the **Central Forensic Science Laboratory, Hyderabad.**

12. As on 03.04.2026, the same was not received, an affidavit was sought for from the **SHO, Mahila Police Station, Bhagalpur.**

13. It is in the aforesaid circumstance, that the SHO Mahila Police Station, Bhagalpur Mrs. Lucy Kumari is present and has provided the report and of the **Central Forensic**



Science Laboratory, Hyderabad dated 10.04.2026. If examined his blood samples of the petitioner, the lady and the baby, and this court records the opinion which read as follows:

Opinion:

From the DNA profiling of the above individuals and from the interpretations thereof:

The accused Asif Ansari (Exhibit C) and the victim (Exhibit A) are the biological father and mother respectively of the baby of the victim (Exhibit B).

15. This Court observes that throughout the present case, the petitioner tried to hoodwink the Court by repeatedly making statement that he never had any relationship with the lady and also readily went for his medical examination before the Jawaharlal Nehru Medical College and Hospital, Bhagalpur . The report has come and has confirmed the allegation made by the victim.

16. In that background, this Court is not inclined to extend him the privilege of anticipatory bail which is accordingly rejected.

17. Before parting, this Court would like to put on



record its word of appreciation for Mrs. Lucy Kumari, SHO Mahila P.S. Bhagalpur-cum-Investigation Officer for the initiative she took for procuring the report and which resulted into the disposal of the present case.

19. The report provided by the CFSL, Hyderabad is returned to the SHO, Mahila P.S. Bhagalpur in sealed cover after taking her acknowledgment to be placed before the competent Court.

(Rajiv Roy, J)

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