

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19520 of 2026

Arising Out of PS. Case No.-541 Year-2025 Thana- DHAKA District- East Champaran

Shamsher Alam Ansari, male, aged about 32 years, son of Kalam Ansari,
resident of Village- Dhaka Ramchandra, P.S- Dhaka, Dist- East Champaran.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Zaki Haider, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 13-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Dhaka
PS Case No.541 of 2025 dated 28.09.2025, instituted for the
offence punishable under Sections 64, 70(1) of the *Bharatiya*
Nyaya Sanhita, 2023.

3. The prosecution case, in brief, is that on the alleged
date of occurrence when the informant was returning from
Dhaka market after getting her niece treated at the clinic of Dr.
L. B. Prasad, she was forcefully taken away by the four accused
persons to a place near the *Chimney* on Punchpakri Road, where
they committed rape upon her and looted away Rs.20,000/- as
well as mobile phone.

4. Learned counsel for the petitioner submits that the



petitioner is not named in the FIR. FIR has been registered against four unknown persons. It is further submitted that in the FIR nothing has been attributed against the petitioner, who is a driver of auto rickshaw, however, in the statement of the victim recorded under Section 183 of the *Bharatiya Nagrik Suraksha Sanhita*, 2023, allegation has been levelled against the petitioner and six others i.e., total against seven accused person of having committed rape upon her, thus, completely deviating from the earlier version as alleged in the FIR. Further submission is that there is difference in the statement of the victim recorded under Section 180(3) *Bharatiya Nagrik Suraksha Sanhita*, 2023, before the Police as well as under Section 183 of the *Bharatiya Nagrik Suraksha Sanhita*, 2023, recorded before the Magistrate. It is further submitted that petitioner was on inimical terms with the victim and that is why the petitioner has been falsely implicated in this case. Lastly, it is submitted that the petitioner is in custody since 30.09.2025 having clean antecedents.

5. Learned APP has opposed the prayer for bail. Learned APP submits that there is direct allegation against the petitioner as well as the petitioner has also given his confessional statement before the police.

6. Having regard to the nature of allegation levelled



against the petitioner, I am not inclined to grant bail to the petitioner at this stage.

7. Accordingly, prayer of the petitioner for bail is rejected at this stage.

8. The Trial Court is directed to expedite the trial and take all endeavour to conclude the trial as early as possible, preferably, within a period of nine months from the date of receipt/production of a copy of this order.

9. Liberty is granted to the petitioner to renew his prayer for bail after nine months if the trial is not concluded by that time.

10. The application stands dismissed.

(Khatim Reza, J)

J. Alam/-

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