

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25542 of 2026

Arising Out of PS. Case No.-3 Year-2026 Thana- BAUNSI District- Banka

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1. Md. Mojib Ansari @ Majid Ansari @ Md. Majit Ansari S/o Md. Rahuf Ansari R/o Village - Sikandarpur, P.S - Baunsi, District - Banka
 2. Bibi Samima @ Samima W/o Md. Mojib Ansari @ Majid Ansari @ Md. Majit Ansari R/o Village - Sikandarpur, P.S - Baunsi, District - Banka
 3. Md. Sahadat @ Sahadat Ansari S/o Sabir Ansari R/o Village - Sikandarpur, P.S - Baunsi, District - Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/o Y R/o Village - Sikandarpur, P.S - Baunsi, District - Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar Pandey, APP
For the informant	:	Mr. Satish Chandra Mishra, Advocate
		Mr. Md. Nurul Hodda, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 15-07-2026 Heard learned counsel for the petitioners, learned Counsel for the informant and learned APP for the State.

2. The petitioners who apprehend arrest in connection with Bounsi P.S. Case No. 03 of 2026 lodged on 03.01.2026, for the offences punishable under sections 126(2), 115(2), 69, 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the informant was in a love affair with co-accused Md. Hasan Ansari for the last two years and on the promise of marriage he established physical relationship with her. It is further alleged that thereafter a Panchayati was convened. Subsequently, the accused persons,



including the present petitioners, entered into the house of the informant, assaulted her and her family members and also extended threat of dire consequences.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that petitioner nos. 1 and 2 are the aged parents and petitioner no. 3 is the *Fufa* of co-accused, namely, Md. Hasan Ansari. He further submits that the dispute essentially arises out of a love affair between the informant and the co-accused and the present petitioners have no concern with the alleged relationship. It is submitted that the informant is a major and no material has been brought on record to substantiate the allegation under the POCSO Act. He further submits that the petitioners have no criminal antecedent and their prayer for anticipatory bail has been rejected by the court below without properly appreciating the facts of the case.

5. Learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that there is specific allegation against the petitioners in the F.I.R. of entering into the house of the informant, assaulting the informant and her family members and extending threat. He submits that merely because the principal allegation of sexual



assault is against the co-accused, the present petitioners cannot claim immunity in view of the specific allegations attributed to them. He, therefore, submits that the petitioners do not deserve the privilege of anticipatory bail.

6. Learned APP for the State also opposes the prayer for anticipatory bail and fairly submits that there is specific allegation against the petitioners in the F.I.R. He, however, submits that the petitioners have no criminal antecedent.

7. In the facts and circumstances of the case, let the above-named petitioners be released on bail, in the event of their arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30,000/- (Rupees Thirty Thousand only) each, as mentioned in Section 2(1)(d) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*, to the satisfaction of the learned C.J.M., Banka, in connection with the Bounsi P.S. Case No. 03 of 2026 , subject to the conditions as laid down under Section 482(2) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*.

(Dr. Anshuman, J)

Manshi/Ashwini

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