

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40007 of 2026

Arising Out of PS. Case No.-7 Year-2023 Thana- MAHILA P.S. District- Kishanganj

Ansar Alam @ Ansar S/o Katalu R/o Village - Chhagalia, P.S - Paharkatta,
District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-07-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 376, 341,
323, 506 and 34 of the IPC.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 5-3-2023 at 5:30 pm, she had gone to attend
nature's call, when petitioner came and raped her, on alarm, her
parents came and caught the petitioner and were bringing him to
their house, when Katlau and Almas came and assaulted them
and freed the petitioner.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the



informant. It is next submitted that police after threadbare investigation came to a considered conclusion that petitioner is innocent thus submitted final form No. 54 of 2023 dated 21-12-2023 (Annexure-2) exonerating the petitioner of the allegation, but then learned Magistrate differing with the police report, took cognizance by an order dated 13-2-2025. The learned counsel for the petitioner thus submits that when one investigating agency after threadbare investigation came to a considered conclusion that petitioner is innocent, whether it would be prudent for the court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioner of the allegation. It is also submitted that if privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will co-operate in the trial to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties



of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahila P.S. Case No. 7 of 2023, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event, if the learned trial court comes to a conclusion that petitioner after obtaining anticipatory bail is trying to delay the framing of charge or after framing of charge is delaying the trial in any manner, in both the conditions the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

Sumit/-

U		T	
---	--	---	--

