

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40113 of 2026

Arising Out of PS. Case No.-133 Year-2026 Thana- AMAUR District- Purnia

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Anand Kumar @ Anand Kumar Bishwas S/o Dilip Bishwas R/o Village-
Kharahiya, P.S- Amour, Dist- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Md. Fazle Karim, Advocate
For the State	:	Mr. Narsingh Tanti, APP
For the Informant	:	Mr. Bijendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 28-07-2026 Heard the learned counsel for the petitioner, the

learned counsel appearing on behalf of the informant and the

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Amour P.S. Case No.133 of 2026 for allegedly having
committed offences under Sections 329(3), 64, 303(2), 352,
351(2) and 3(5) of the B.N.S.

3. As per the First Information Report, which has been
lodged on the basis of the written report submitted by the
informant, to the effect that in the night of 13.03.2026, when all
the male members of the house had gone for the wedding of the
nephew of the husband of the informant and only female
members were present at the house, the petitioner entered into



the room of the informant and committed rape with her by pressing her mouth and also snatched golden chain with *Mangalsutra*. The petitioner threatened the informant that if she will disclose it to anybody, her husband and children will be killed. On 14.03.2026, when the husband of the informant returned back, she narrated the incident to him and later on a *panchayati* was held, however the accused persons did not come for the *panchayati* and then the present First Information Report was lodged.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed the offence as levelled in the First Information Report. He submits that the parents of the petitioner had given friendly loan of Rs.2,00,000/- to the informant and her husband, being the neighbour and when they requested for return of the money, the relation between the family of the petitioner and the family of the informant became sour. He further submits that an altercation took place for demand of money and the mother of the petitioner lodged Amour P.S. Case No.134 of 2026 against the informant and her family members. He further submits that since the petitioner was under treatment, therefore, delay of three days in lodging the First Information Report bearing Amour P.S. Case No.134 of



2026 has occurred. The learned counsel for the petitioner further submits that no such incident had taken place and only with a view to not return the loan money to the family members of the petitioner, the present case has been lodged and the petitioner is a student of D.El.Ed. He submits that the petitioner has got a clean antecedent.

5. *Per contra*, the learned counsel appearing on behalf of the informant opposes the prayer for grant of anticipatory bail to the petitioner and submits that when the informant was alone in her room, at around 02:00 a.m. in the night, the petitioner entered into her room and committed rape with her. On *hulla* other female members of the family came there. He submits that during course of investigation the witnesses have supported the allegations levelled against the petitioner and the informant in her statement recorded under Section 183 B.N.S.S. has also supported the accusations made in the First Information Report.

6. The learned A.P.P. for the State also opposes the prayer for grant of anticipatory bail to the petitioner.

7. Having considered the rival submissions and after going through the records, the case diary as well as the statement of the victim recorded under Section 183 B.N.S.S., it would transpire that the informant has supported the case of the



prosecution.

8. Considering that the allegation of rape has been levelled against the petitioner and the same is supported by the statement of the victim as well as the statement of the witnesses during course of investigation, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner and accordingly, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Ritesh Kumar, J.)

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