

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40677 of 2026

Arising Out of PS. Case No.-291 Year-2025 Thana- RAUTA District- Purnia

Manjar Alam @ Manjar S/O Late Md. Muslim Resident of village- Rasulganj,
Ward no.- 6, P.S.- Rauta, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Abdus Samad S/O Md. Abbas Resident of village- Rasulganj, Ward no.- 6,
P.S.- Rauta, District- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bidhu Ranjan, Adv Mr. Ashok Kumar Jha, Adv
For the Opposite Party/s :		Mr.Shailendra Kumar, APP Mr. Bijendra Kumar Singh, Adv Ms. Trisha, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-07-2026 **1.** Heard learned counsel for the petitioner, learned A.P.P.

for the State and learned counsel appearing on behalf of the
informant.
- 2.** The petitioner apprehends his arrest in connection with

Routa P.S. Case No. 291 of 2025, registered for the offences
punishable under Sections 126(2), 115(2), 64, 89, 352 and 3(5) of
the Bharatiya Nyaya Sanhita.
- 3.** Learned counsel for the petitioner submits that

petitioner is a person with clean antecedent and the informant alleges
that her deaf and dumb daughter was having constant stomach pain,
hence she was taken to health centre at Baisi on 6-8-2025 at 11 am
and the doctor disclosed that she is pregnant based on ultrasound



report, further the victim also indicated in sign language that on 19-5-2025 at 6 pm, when she had gone to attend nature's call, petitioner on point of knife raped her, accordingly the informant along with the victim went to the house of the petitioner when his family members abused, assaulted and tried to forcibly administer medicine to the victim for aborting the pregnancy, but on alarm people gathered and they were saved.

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 from perusal of the FIR, it would manifest that the date of occurrence is 6-8-2025 and the FIR came to be instituted on 29-11-2025, i.e., after a delay of more than three months.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant, Ms. Trisha, opposes the prayer for anticipatory bail of the petitioner and learned counsel appearing on behalf of the informant submits that there is a specific allegation against the petitioner that he raped the deaf and dumb daughter of the informant and there is no rebuttal of the said allegation in the instant anticipatory bail application. It is also submitted that at the time when the FIR was instituted, the victim was pregnant and subsequently she gave birth to a child and the child was born on account of rape being committed by the petitioner on 19-5-2025. It is further submitted that statement of the victim was recorded under



Section 183 BNSS, wherein she supported the case of the prosecution in sign language. It is next submitted that merely because the FIR came to be instituted after some delay, the same cannot be considered fatal for the prosecution. It is also submitted that had the petitioner not committed rape of the victim, in that event, at least a plea would have been taken in the anticipatory bail application that he has not committed rape, but then the plea of delay in instituting the FIR has been raised.

6. At this stage, learned APP submits that investigation of the case is continuing and the allegations are serious that petitioner committed rape of a differently abled girl.

7. After hearing the learned counsel for the parties and taking into consideration the submission made by learned APP and the learned counsel appearing on behalf of the informant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

8. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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