

Arising Out of PS. Case No.-65 Year-2026 Thana- BASOPATTI District- Madhubani

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Md. Ushman S/o Rabi Rayeen @ Md. Rabbi @ Mo. Rabbi Resident of
Village- Ghorbanki, P.S.- Basopatti, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Gagan Deo Yadav Mr. Rohit Kant Singh Mr. Vinod Kumar
For the Opposite Party/s :	Mr. Raj Ballabh Singh Mr. Fahad Khurshid

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 20-07-2026 1. Heard learned counsel for the petitioner, the
learned counsel appearing on behalf of the informant and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 126(2) 115(2), 76, 64, 62 and 351(2) of the B.N.S.

3. The Investigating Officer of the Case, in compliance of the order dated 10.07.2026, is present in the Court.

4. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that her husband works at Qatar. Further, about one year ago, her mobile got switched off, hence was



going to get the same repaired, but on the way, she met the petitioner who asked where she was going, on which she disclosed that she was going to get her mobile repaired, but the petitioner took her mobile on the pretext of getting it repaired. It is next alleged that thereafter petitioner took her photographs and number from the mobile and returned the mobile, hence she came back home. Further, petitioner called her on her mobile number from his mobile number and forced to establish physical relation or else he will edit and make her photo viral. It is next alleged that she refused to establish physical relation, thus petitioner made her photo viral. Accordingly, a Panchayati was convened and he was reprimanded and thus, stopped calling. It is next alleged that on 28.02.2026 at 7.00 PM, she was going back home after purchasing vegetable when petitioner caught her and took her to a field and acted inappropriately. On alarm, people gathered and he fled.

5. The 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 allegations as alleged in the FIR, it would manifest that the date of occurrence is 28.02.2026 and the FIR came to be instituted on 04.03.2026 i.e. after a delay of more than five days which



casts an aspersion on the case of the prosecution. It is next submitted that though informant alleges that her inappropriate photos were made viral, but then does not disclose that how she came to know that her photos were made viral or who saw her inappropriate photographs and how she came to know about the same, which also casts an aspersion on the case of the prosecution. It is next submitted that even allegations do not inspire confidence for the reason that informant alleges that she was going to get her mobile repaired but she met the petitioner on the way who took her mobile on the pretext of getting it repaired but took her photographs and mobile number and thereafter returned the mobile. It is submitted that this amply demonstrates that petitioner and the informant were known each other from before.

6. On query of the Court from the Investigating Officer of the case that whether any inappropriate picture was given to her at the time when the FIR was instituted, the Investigating Officer states that no inappropriate photograph was handed over to her nor the informant showed any inappropriate photographs of her becoming viral, but then, it is submitted that recently the informant has given some of her inappropriate photographs, on which the learned counsel



appearing on behalf of the petitioner submits that had any inappropriate photographs of the informant gone viral, in that event, the informant would have submitted the same before the Investigating Officer of the case, but submission of photographs at a belated stage also casts an aspersion on the case of the prosecution.

7. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then, the learned counsel appearing on behalf of the informant is not in a position to rebut the submission that when FIR was instituted no viral photo of the informant was handed over to the Investigating Officer of the case.

8. At this stage, the learned counsel appearing on behalf of the petitioner submits that if privilege of anticipatory bail is granted, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

9. After hearing the learned counsel for the parties and taking into consideration the submissions made by the learned counsel for the petitioner and also taking into consideration the fact that petitioner is a person with clean antecedent, the petitioner, above-named, in the event of his



arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum 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 Basopatti P. S. Case No.65 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

10. The application stands allowed.

11. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

12. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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