

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41807 of 2026

Arising Out of PS. Case No.-147 Year-2026 Thana- SASARAM NAGAR District- Rohtas

Ali Asgar Ansari Son of Late Abdul Khalik Ansari @ Late Abdul Khudik Ansari @ Late Abdul Khalif Ansari Resident of Mohalla - Neelkothi, Ward No. 30, Dehri, Police Station - Dehri, District - Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Jitendra Pd. Singh, Sr. Advocate Mr.Rajeev Kumar, Advocate Mr.Varun Krishna Singh, Advocate Mr.Venkatesh Kaushik, Advocate
For the Opposite Party/s	:	Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-06-2026 Heard Mr. Jitendra Prasad Singh, learned senior counsel appearing for the petitioner and learned APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Sasaram (Town) P.S. Case No. 147 of 2026 registered for the offences punishable under Sections 329(3), 64, 351(3), 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. As per FIR, petitioner alleged to commit rape upon the informant in early morning on 28.02.2026 at about 3:00 A.M. after criminal trespass to her house alongwith other co-accused persons.

4. Mr. Jitendra Prasad Singh, learned senior counsel appearing on behalf of the petitioner submitted that the



informant borrowed loan of Rs. 4,50,000/- from petitioner on 27.06.2023 through agreement duly signed between the parties, which is **Annexure P/2** of the present bail petition. The said loan was given to the informant by petitioner out of her necessity with promise to return the same within next three months i.e. by 01.09.2023.

5. It is pointed out by Mr. Singh that when, after expiry of agreed time period, a demand to return the aforesaid loan was raised by this petitioner, the informant refused to return the loan amount and threatened him to implicate falsely with criminal case and apprehending so, the petitioner filed an informatory petition before learned S.D.J.M., Dehri-On-Sone on 16.08.2023, raising all his apprehension *qua* false implication by the informant.

6. It is further argued that subsequently on 20.10.2023, the informant lodged a Sasaram (Mahila) P.S. Case No. 45/2023 for the offence under section 376 of the I.P.C. against the petitioner, which is Annexure P/3 of the present bail petition, and considering all such aspects, learned trial court granted anticipatory bail to the petitioner.

7. It is submitted that when petitioner was granted anticipatory bail, in retaliation, another criminal case was



lodged by the informant, which was registered as Sasaram (Muffasil) P.S. Case No. 338/2024, where police, after investigation, submitted closure report with finding that case, upon investigation, was found false. Subsequently, the present third case almost with similar allegation was raised against the petitioner.

8. Arguing further, Mr. Singh submitted that the informant is under habit to lodge the false rape cases against other persons too and as per best of knowledge of the petitioner, the informant lodged a case of rape against one Om Prakash Chauhan and others for which Sasaram (M) P.S. Case No. 10 of 2019 was lodged. She also lodged Sasaram Mahila P.S. Case No. 48 of 2021 with same allegation against one Manoj Kumar Kushwaha and others. She also lodged Sasaram Town P.S. Case No. 20 of 2022 against one Saurabh Kumar and others by making her minor daughter instrumental.

9. While arguing further, it is submitted by Mr. Singh that medical report of the informant/victim is also not corroborated with the allegation, as alleged against the petitioner. It is submitted that no mark of violence was noticed upon the victim. It is submitted that occurrence took place in early morning as alleged i.e. 3:00 A.M., but none of the nearby



villagers supported the occurrence and in support of same, learned senior counsel referred paragraph 10 & 11 of the case diary.

10. Learned A.P.P. for the State duly assisted by learned counsel appearing for the informant, while opposing the prayer for anticipatory bail of the petitioner, submitted that informant/victim supported the occurrence by recording her statement under sections 180 and 183 of the B.N.S.S. during the investigation, however, she could not disputed the aforesaid factual submissions as advanced *qua* giving loan and also previous false cases of similar nature registered by the informant against petitioner.

11. In view of the aforesaid factual submissions and by taking note of the fact as present third allegation of rape against petitioner appears *prima facie* raised in the background of monetary dispute (**Annexure P/2**), coupled with the fact that nearby resident, during investigation, failed to support the occurrence as alleged, where the medical report *prima faice* not appears corroborative in nature, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with



two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram/concerned court in connection with Sasaram (Town) P.S. Case No. 147 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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