

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65334 of 2025

Arising Out of PS. Case No.-437 Year-2025 Thana- MAJHAULIA District- West Champaran

Eklakh Ansari S/O Yusuf Ansari R/O Vill.- Gora Semra, Ward No.14,
Panchayat Lal Saraiya, P.S.- Majhauriya, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/O Nasruddin Ansari R/O Vill.- Gora Semra, Ward No.14, Panchayat
Lal Saraiya, P.S.- Majhauriya, District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

7 19-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 65(2), 70(2), 238(a), 61(2)(a)
of the B.N.S. and Section 4 and 6 of the POCSO Act.

3. Petitioner along with other accused persons are said
to have committed rape with the victim.

4. Learned counsel for the petitioner submits that the
First Information Report itself would indicate that the petitioner,
who is 19 year old boy has been made an accused in this case
with allegations of mainly keeping a watch while the victim was
being ravished by the co-accused Rajababu Alam. However, the
FIR also indicates that a Panchayati had been held with regard



to the said incident and in course of such Panchayati some penalty was imposed on the petitioner and other co-accused persons as also upon the informant. It is thus submitted that as a matter of fact, the victim and the co-accused Rajababu Alam were only meeting in the field and the petitioner being friend of Rajababu Alam has been made an accused, however, no sexual assault etc. has been committed in view of the medical report wherein no injury on the private part of the victim has been seen nor the pathology report shows any spermatozoa. Further, the petitioner is in custody since 10.07.2025 and charge-sheet has already been submitted.

5. Learned APP for the State has opposed the application for bail on the ground that there are allegations against the petitioner and the victim has supported the case of the prosecution in her statement under Section 183 of the B.N.S.S.

6. Taking into consideration the facts and circumstances and also considering the fact that the thrust of allegation is upon co-accused Rajababu Alam who has already been granted bail by a coordinate Bench of this Court, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties



of the like amount each to the satisfaction of the learned court
below where the case is pending/successor court in connection
with Majhauriya P.S. Case No. 437 of 2025.

(Soni Shrivastava, J)

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