IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69308 of 2026

CNR No. BRHC010979732026

Arising Out of PS. Case No.-19 Year-2020 Thana- MAHILA PS District- Jehanabad

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1. Md. Sahjad @ Sahjada S/O Musa Mian R/O Mahadev Sthan, Bichali Mohalla, P.s. and Dist.- Jehanabad
2. Mister @ Isha @ Md. Mistar @ Md. Isha Ali S/O Musa Mian R/O Mahadev Sthan, Bichali Mohalla, P.s. and Dist.- Jehanabad

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocte
Mr. Mayank Raj, Advocate
For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 23-11-2026 Heard learned senior counsel for the petitioners and learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Jehanabad Mahila P.S. Case No. 19 of 2020 instituted for the offence under Sections 376(D), 377 and 34 of the Indian Penal Code.

3. The case of the prosecution, in short, is that the petitioners along with others have committed rape with the informant.

4. Learned senior counsel appearing on behalf of the

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petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Learned senior counsel for the petitioners has further submitted that after investigation, police have submitted final form against these petitioners and have submitted charge-sheet against others. It has further been submitted that other accused persons who have also faced trial and they were acquitted by the learned trial Court and in that case, the victim did not appear. It has further been submitted that later on, the learned trial Court has taken cognizable against these petitioners. It has further been submitted that as the police have filed final form against these petitioners, they were having no knowledge regarding the present case. It has further been submitted that as the accused persons who have been sent up for trial by police, have been acquitted by learned trial Court. The case of these petitioners stands on better footing. Petitioner no.1 is having one criminal antecedent whereas petitioner no.2 is having no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this

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Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Jehanabad Mahila P.S. Case No. 19 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Jehanabad, subject to the conditions as laid down under section 482 (2) of the B.N.S.S.

(Ashok Kumar Pandey, J)

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