

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13302 of 2025

Arising Out of PS. Case No.-620 Year-2024 Thana- GANDHIMAIDAN District- Patna

Md. Asraf @ Tamanna Baba @ Md. Tamanna S/o Mohammad Gulam Rasul
Resident of 47, Golghar Park, road Gawala Toli, PO- GPO, PS- Gandhi
Maidan, District- Patna, at present Mazar near house of DM Saheb, Gandhi
Maidan, PS- Gandhi Maidan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Muskan Singh, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Gandhi Maidhan P.S. Case No. 620 of 2024 registered for the alleged offences under Sections 74, 75 and 76 of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the petitioner being *Sewadar* of a *Majar* tried to outrage the modesty of the informant and sexually assaulted her. When the crowd assembled, he fled away in naked condition.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The occurrence took place on 15.10.2024, but the FIR has



been lodged on 18.10.2024 and there is no explanation for the delay. Learned counsel further submits that the present FIR has been lodged to damage the reputation of the petitioner, who is the *Sewadar* of a *Majar* and he has been providing service for a long time. The petitioner is having antecedent of two case and he is on bail in both the cases. The petitioner is in custody since 11.12.2024 and charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna in connection with Gandhi Maidan P.S. Case No. 620 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and



every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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