

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25404 of 2025

Arising Out of PS. Case No.-83 Year-2024 Thana- TATARPUR District- Bhagalpur

Heera Khan @ Md. Mahsar Khan S/o- Dawood Khan Moh- Jabbarchak Ps-
Tatarpur Dist- Bhagalpur P/A- Sangrampur Ps- Amarpur Dist- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anupam Kumari W/o- Sri Abhay Kant Jha R/o- Assistant Project Officer,
Child Save Movement, BMP-14, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailendra Kr. Singh, Sr. Adv. Mr. Pawan Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Jharkhandi Upadhyay, APP
For the Informant	:	Mr. Vatsal Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-07-2025 Heard the parties.

2. The petitioner seeks bail in connection with

Tatarpur P.S. Case No. 83 of 2024 registered for the offence

under Sections 341, 342, 323, 504, 354(B) of the I.P.C. and

Section 8/10 of POCSO Act and Section 75 of JJ Act.

3. The petitioner is named in the F.I.R. and is in

custody since 20.02.2025.

4. The allegation against the petitioner is to commit

non-penetrative sexual assault upon the maid of co-accused

namely, Tanzil Khan and Bibi Jarina.

5. Learned counsel appearing on behalf of the



petitioner submitted that complainant is none but the *bhabhi* of co-accused Tanzil Khan, who made complaint in the background of land dispute. It is submitted that victim / maid was made instrumental in this case for false implications of petitioner who is related as brother-in-law of co-accused Tanzil Khan and Bibi Jarina, who have already granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 43451 of 2024 vide order dated 01.07.2024, however it is fairly conceded that anticipatory bail of petitioner was rejected by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 60355 of 2024 order dated 10.01.2025. It is submitted that victim examined before learned trial court and she stated nothing incriminating against petitioner while deposing as PW-1. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, as such, there is no chance of tampering with the evidence.

6. Mr. Jharkhandi Upadhyay learned APP while opposing the prayer of bail submitted that allegation of sexual



assault is available against this petitioner.

7. In view of aforesaid factual submission and by taking note of nature of accusation in the background of the land dispute, coupled with fact that petitioner remains in custody since 20.02.2025, accordingly petitioner above named, is directed to be released on bail in connection with Tatarpur P.S. Case No. 83 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Spl. Court of POCSO cum District and Addl. Sessions Judge VII, Bhagalpur /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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