

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60355 of 2024

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

Hira Khan @ Md. Mahsar Khan Son of Daud Khan Resident of Mohalla-
Jabbarchak, P.S.- Tatarpur, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anupma Kumari, Assistant Project Officer, Child Save Movement B.M.P.,
Patna- 14.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Sr. Adv.
		Mr. Md.Najmul Hodda, Adv.
For the Opposite Party/s	:	Mr. Ravindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-01-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State Mr. Ravindra Kumar.

2. The petitioner apprehends his arrest in connection
with Tatarpur P.S. Case No.83/2024, registered for the offence
punishable under Sections 341, 342, 323, 504, 354(A) of the
Indian Penal Code, Sections 8, 10 of POCSO Act and Section
75 of J.J. Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that Tanzil Khan had confined the minor in her house for
the last two years and his wife Jarina used to torture and harass
the victim, further the petitioner tried to establish physical



relation and the victim was confined for domestic work and at times was assaulted on her private parts.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the instant F.I.R. has been instituted based on a complaint filed by Bhabhi of Tanzil with whom she is on an inimical term relating to property. It is next submitted that Tanzil and his wife had approached this court seeking anticipatory bail by filing Cr. Misc. No.43451/2024 and the same was allowed by an order dated 01.07.2024. It is next submitted that petitioner is brother-in-law of Tanzil. It is thus submitted that when Tanzil and his wife have been granted the privilege of anticipatory bail then petitioner be also granted the same privilege.

5. Learned A.P.P. for the State Mr. Ravindra Kumar vehemently opposes the prayer for anticipatory bail of the petitioner and submits that no doubt Md. Tanzil and his wife Zareen Imtiyaz were granted the privilege of anticipatory bail by an order dated 01.07.2024 in Cr. Misc. No.43451/2024 but then draws the attention of the court to para-4 of the order dated 01.07.2024 in Cr. Misc. No.43451/2024 to submit that the statement of the victim was recorded under section 164 Cr.P.C.,



wherein she did not allege anything against Tanzil and his wife but then had stated that this petitioner used to come to the house of Tanzil and used to touch her inappropriately.

6. Considering the submissions made by the learned APP, the court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

