

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.847 of 2026

Arising Out of PS. Case No.-199 Year-2025 Thana- TARIYANI CHOWK District- Sheohar

Md. Nanhe Shekh S/o- Md. Safaula Shekh @ Safaul Shekh R/v- Kolsokala
Ps- Tariyani Dist- Sheohar

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/o- Late Majibul Rahman R/v- Kolsokala Ps- Tariyani Dist- Sheohar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Krishna Prabhat, Advocate
For the State	:	Mr. Pramod Kumar Pandey, APP
For the Informant	:	Mr. Manoj Kumar Madhukar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-02-2026 Heard learned senior counsel appearing on behalf of the petitioner, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant/Opposite Party No. 2.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 379, 354B, 504, 506, 376, 511 and 34 of the Indian Penal Code and Sections 4 and 6 of the POCSO Act.

3. As per prosecution case, it is alleged that this petitioner, finding the informant alone at home, entered into her house, put a knife on her throat and tried to commit rape upon her. It is further alleged that when mother of informant came,



this petitioner, along with other accused persons, assaulted informant and her mother, snatched their mobile phone and fled away.

4. It is submitted by learned senior counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner has falsely been implicated in this case due to land dispute between the parties. As a matter of fact, mother of informant/Opposite Party No. 2 herself filed an application before the Circle Officer, Tariyani, seeking demarcation of land and pursuant thereto, father of this petitioner was served with a notice dated 16.09.2025 directing him to appear before the Circle Office along with his claim for demarcation on 20.09.2025. In compliance of the aforesaid notice, father of this petitioner appeared before the Circle Officer, Tariyani on 20.09.2025 and submitted a written application stating therein that the family members of informant/Opposite Party No. 2 is threatening him to falsely implicate him and his family members in false rape case and he also requested the Circle Officer to conduct an on-spot inspection of the land in question. Copy of the application dated 20.09.2025 is Annexure-P3 to this bail application. Upon receiving no objection from both the parties, the Anchal Ameen



duly visited the land and conducted an on spot inspection and proper demarcation of land. The Anchal Ameen properly bifurcated the land and the access road and explained the same to both the parties and after completion of the demarcation, he submitted his report before the Circle Officer, Tariyani. However, after completion of the demarcation process, when the petitioner and his family members started using the access road, the informant/Opposite Party No. 2 again started obstructing the road and an altercation took place between the parties and only with a view to harass and humiliate the petitioner and his family members, this false and concocted case has been lodged on 25.09.2025. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, materials available on record and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, POCSO, Sheohar in connection with Tariyani P.S. Case No. 199 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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