

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69668 of 2018

Arising Out of PS. Case No.-49 Year-2017 Thana- NAUHATTA District- Saharsa

Md. Shoyab @ Md. Soeb S/o- Noor Hasan @ Md. Nurul Hasan, resident of
Village- Sankanhai, Kanhai, P.S. Ghanshyampur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Adv. Mr. Nafisuzzoha, Adv.
For the Opposite Party/s	:	Smt. Anita Kumari Singh, APP
For the informant	:	Mr. Manoj Kumar Gupta, Adv.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-12-2018 The petitioner seeks regular bail in connection with

Nauhatta P.S. Case No. 49 of 2017, registered for offences

punishable under Sections 354 (D) and 506 of the Indian Penal

Code and Section 12 of the POCSO Act.

Prosecution case is that the petitioner and informant

came into contact with each other and started telephonic

conversation. After some time, the petitioner started

pressurizing her for marriage and also started threatening her

of acid attack, if she would refuse to marry her and also to post

the vulgar photographs in the village to malign her image.

It has been submitted on behalf of the petitioner that

he has falsely been made accused in this case and F.I.R itself



shows that the petitioner and the girl is at talking term with each other and except allegation that he used to talk with the girl, there is no other allegation against the petitioner and, therefore, there is no applicability of Section 354D of the Indian Penal Code and Section 12 of the POCSO Act. Further submission is that petitioner has no criminal antecedent and he has been in judicial custody since 15.08.2018.

Learned counsel for the State as well as learned counsel for the State opposed the prayer for bail. Learned counsel for the informant has submitted that the petitioner used to threaten the girl as well as his family members for marriage of the girl with the petitioner and when they refused, the petitioner pasted the image of the girl with vulgar remarks in the village. It has also been submitted that int his case trial has begun and one witness has already been examined.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail.

This application is accordingly, dismissed.

The trial court is directed to expedite the trial and try to conclude the same within a period of six months and if the trial is not concluded within the aforesaid period, the petitioner



will be at liberty to renew his prayer for bail.

(Vinod Kumar Sinha, J)

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