

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49078 of 2019

Arising Out of PS. Case No.-175 Year-2019 Thana- NARPATGANJ District- Araria

MD. SHAHZAD @ SHAHZAD ALAM @ MD. SHAHZAD ALAM, aged
about 26 years, Male, Son of Md. Meraz, Resident of Village - Sonapur
Chakarwar, P.S.- Bathnaha O.P. , Dist.- Araria ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Abhijeet Gautam, Adv.

For the Opposite Party : Mr. Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Narpatganj (Bathnaha) P.S. Case No. 175 of 2019 (Special
(POCSO) Case No. 15 of 2019) for the offences alleged under
Sections 354B of the Indian Penal Code and 8 of the Protection
of Children from Sexual Offences Act, 2012.

The accusation is that daughter of the informant, Md.
Tilmiz Hussain, aged about 15 years, was alone at the house. At
that time petitioner entered into the house with intention to
commit rape on the daughter of the informant, laid her on a cot
and started pressing her neck. On raising alarm, the villagers
reached there till that time the petitioner had torn clothes of his
daughter. When the wife and the son of the informant told to
lodge the case, Md. Shahzad (petitioner), Shahnaz, Md.
Sharook, Sabiha Naz, Rani Naz and Hena Naz entered in the
house of the informant and started to abuse them.



The submission of the learned counsel for the petitioner is that father of the petitioner and the informant are relative and due to land dispute the present case has been lodged only to put pressure that the petitioner may not claim the property.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Narpatganj (Bathnaha) P.S. Case No. 175 of 2019 (Special (POCSO) Case No. 15 of 2019) shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge I-cum-Special Judge, Araria, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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

