

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23056 of 2020

Arising Out of PS. Case No.-50 Year-2019 Thana- MAHILA P.S. District- Kishanganj

Harun alias Md Harun aged about 22 years male Son of Nazrul Haque alias
Md Nazrul Haque Resident of Village- Balubari Dhantola, P.S.- Dhigalbank,
District- Kishanganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Nawal Kishore Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 05-11-2020 Heard Mr. Ram Prawesh Kumar, learned counsel for
the petitioner and Mr. Nawal Kishore Prasad, learned counsel
appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Mahila Kishanganj P.S. Case No. 50 of 2019 registered for the
offence under Sections 341, 323, 120 (B), 376, 420, 504 / 34 of
the I.P.C. and Section 4 of the POCSO Act.

The allegation as per the First Information Report is
that the co- accused Zafar Ali established physical relation with
the informant on the false pretext of marriage and subsequently
when the informant became pregnant the co-accused Zafar Ali
refused to marry the informant and hatched a conspiracy with
the petitioner, who took a photograph of the informant by



placing his hand near the breast of the informant. It has further been alleged that the petitioner as well as the co-accused Zafar Ali started blackmailing her.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to village politics. Learned counsel further submits that during the course of investigation no photograph of the informant has been recovered by the Police and the allegation that the petitioner has taken photograph of the informant by keeping his hand on her breast is palpably false and without any basis.

On the other hand, learned counsel for the State referring to the case diary submits that the victim girl has stated that her photograph was taken by the petitioner but in the entire case diary there is no material to show that Police at any point of time recovered the said photograph.

Having heard learned counsel for the parties and taking into consideration the materials available on record and the fact that petitioner is in custody since 08.01.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/-



(twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, 1st -Cum Special Judge, Kishanganj / court concerned in connection with Mahila Kishanganj P.S. Case No. 50 of 2019 subject to the condition:-

(i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall be liable to be cancelled.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

praful/-

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

