

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15012 of 2023

Arising Out of PS. Case No.-180 Year-2022 Thana- PALASI District- Araria

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NASIF ALAM @ MD. NASIF ALAM @ MD. NASIF @ NASIF Son of Ali
Hasan R/v- Pipra Bijwara Ward No. 6, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 306/120B of the Indian Penal Code.

3. Allegedly, petitioner is said to have taken obscene photographs of the informant's minor daughter and threatened her to make her obscene photographs viral as a result of which informant's daughter committed suicide.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather



general and omnibus in nature. There is inordinate and abnormal delay of 11 months in filing the complaint petition without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is delay of 11 months in filing the complaint petition, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Palasi P.S. Case No. 180 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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