

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58125 of 2023

Arising Out of PS. Case No.-152 Year-2023 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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MD. ASHAD @ ARSAD S/O LATE MANZUR RESIDENT OF MUHALLA
PWD, ROAD NO. 1, MADIPUR, P.S.- KAZI MOHAMMADPUR, DIST.-
MUZAFFARPUR.

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. FARZANA PARVEEN D/O MD. NAIM RESIDENT OF MUHALLA PWD,
ROAD NO. 1, MADIPUR, P.S.- KAZI MOHAMMADPUR, DIST.-
MUZAFFARPUR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Santosh Kumar
For the Opposite Party/s :	Mr. Sanjay Kumar Tiwary
	Mr. Ajit Kumar
	Mr. Dinkar Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-12-2023 Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Kazi Mohammadpur P.S. Case No.152 of 2023, registered for
the offence punishable under Sections 354, 354A, 354B, 354C,
504, 506, 34 of the Indian Penal Code and 8/12 of POCSO Act.

3. The allegation against the petitioner is that he trapped
the informant in love affair and made her obscene video by
inducing her for marriage and uploaded the same on social
media and sent the same to co-accused Tanvir @ Lau. It is



further alleged that the co-accused started blackmailing the informant and also tried to outrage her modesty.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioner. He further submits that the mother of the petitioner had submitted an application to the S.S.P. Muzaffarpur praying therein that the informant wanted to solemnize marriage with the petitioner and when the petitioner denied to marry her, then the informant has lodged this case against the petitioner. Petitioner has no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for anticipatory bail. It is submitted by the learned counsel for the informant that the statement of the victim was recorded u/s 164 of Cr.PC and in that statement, she has supported the prosecution case.

6. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. However, if the petitioner surrenders before the learned



Court below within a period of six weeks from today and seek
for regular bail, the learned Court below shall pass the order on
the same day in accordance with law.

(Anjani Kumar Sharan, J)

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