

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79165 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- JAMALPUR District- Munger

MD. SAHBAJ KHAN S/o Md. Shakil R/o Vill - Mohanpur Bari Keshopur,
P.S. - Jamalpur, Dist - Munger, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 376, 511, 509, 354 (c), 504, 506 and 34 of the Indian Penal Code and Sections 8/12 of the POCSO Act and 67(B) of I.T. Act.

3. As per allegation in the F.I.R., ten months earlier the petitioner caught the minor daughter of the informant, took her in a room and tried to commit rape with and made he made an obscene video of her. He also threatened her viral her obscene video on social media.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case by the informant only with a view to marry his daughter with him. F.I.R.



has been lodged after the delay of 9 days. Since the victim is major hence she denied for her medical examination regarding her age and other ingredience of attempt of sexual harassment. Charge sheet has been framed in this case. Save and except the informant and victim of this case not a single independent witness has been examined and supported the prosecution case. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 09.06.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (POCSO Act)-cum-Additional Sessions Judge-VI, Munger in connection with Jamalpur P.S. Case No.98 of 2023.

(Sunil Kumar Panwar, J)

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