

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33410 of 2024

Arising Out of PS. Case No.-66 Year-2022 Thana- MAHILA PS District- Darbhanga

Md. Mojahid Son Of Md. Ismail Resident Of Village- Karamganj, Ps-
Laheriasarai, Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bushra Khatoon Wife Of Md. Gulsher Alam Resident Of Village-
Karamganj, PS- Laheriasarai, Dist- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Adil Abbas, Advocate Mr. Dharam Deepak Vishwash, Advocate Mr. Saurav Suman, Advocate
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 26-07-2024 Heard Mr. Adil Abbas, learned counsel for the
Petitioner and Mr. Jagdhar Prasad, learned APP for the State.

2. Petitioner seeks regular bail in connection with
Darbhanga Mahila P.S. Case No. 66 of 2022 arising out of
Complaint Case No. 682 of 2022 dated 14.09.2022 registered
for the offences punishable under Section 376 read with Section
34 of the Indian Penal Code and Sections 67 and 67A of the
Information Technology Act.

3. Mr. Adil Abbas, learned counsel appearing for the
petitioner submits that the instant matter is based on complaint
filed by the aunt of the petitioner, in fact, there is property
dispute between the petitioner and his aunt and before the filing



of the complaint a proceeding under Section 107 of the Cr.P.C. has been initiated on the basis of application dated 16.11.2021 filed by the petitioner and in this regard, Annexure-7 may be perused. It is further submitted that the petitioner used to do work as a plumber in Saudi Arabia and always sent money to the complainant. When he returned back from Saudi Arabia in the year 2020, thereafter, a dispute arose in between him and complainant. It is further submitted that petitioner has been languishing in judicial custody since 15.11.2023 and there is no technical evidence with regard to the allegation of making viral of the alleged video containing obscene pictures or photographs of the complainant by the petitioner. Learned counsel further submits that petitioner has one criminal antecedent but due to lack of knowledge he has not given the details of the said case in the paragraph no. 3 of the petition. It is further submitted that the petitioner's trial has started.

4. Mr. Jagdhar Prasad, learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Having regard to the above submissions and mainly considering the complainant's husband's statement mentioned in paragraph no. 6 of the case diary which shows that there was illicit relationship between the petitioner and the complainant



and there was also a land dispute in between them and also coupled with the stage of the trial of the petitioner, let the petitioner named-above be enlarged on bail on furnishing of bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Darbhanga Mahila P.S. Case No. 66 of 2022.

(Shailendra Singh, J)

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