

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51093 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- PAROO District- Muzaffarpur

Md. Jahir @ Mohamad Jahir Son of Late Sikandar Ali Resident of Vill-
Fatehabad, P.S.- Paru, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Hafiz Shahbaz Arif, Advocate
For the Opposite Party : Mr.Humayou Ahmad Khan, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

Learned counsel for the petitioner is permitted to
make necessary correction on para. 1 of the bail petition during
the course of the day.

2. The petitioner has preferred this application for
grant of regular bail in connection with Paru P.S. Case No.
104/2024 dated 18.04.2024 registered for the offence punishable
u/s 341, 342, 323, 376/511, 504, 509, 354B and 506 read with
34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the
co-accused persons along with three unknown miscreants
entered the house of the informant and the co-accused Md. Jafar



and Abdul Samad caught hold of the informant. Thereafter, co-accused, Abdul Samad snatched the phone of the informant's daughter and assaulted her. When the informant's son and electrician, Md. Sabbir came there, they were also assaulted by them. In the meantime, the co-accused persons, Md. Jafar Ansari, Abdul Samad and the petitioner tried to commit rape on the informant and made obscene video of the informant and threatened her to make the video viral.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Learned counsel has submitted that there is no injury/medical report either in case diary or on record. It is further submitted that it is hardly a case of molestation. No case is made out under the POCSO Act. The petitioner has clean antecedent as stated in para 3 of the bail petition. As per the impugned order the petitioner is in custody since 19.04.2023 whereas as per the bail petition the petitioner is in custody since 19.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with Paru P.S. Case No. 104/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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