

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61092 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- BAISI District- Purnia

Md. Riyaz @ Riyaz, Son of Abdur Rashid, Village- Habdang, P.S.- Baisi,
Dist- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Afsana Khatoon, Daughter of Late Anwarul, Village- Nawabganj Pokhariya,
P.S.- Puranaganj, P.S.- Baisi, Dist- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mazher Alam, Advocate
For the State	:	Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 27-09-2024 Heard Mr. Mazher Alam, learned counsel for the
Petitioner and Mr. Harendra Prasad, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Baisi P.S. Case No. 137 of 2024 dated 09.06.2024 registered for the offences punishable under Sections 420, 376, 313, 341, 323 and 354B of the Indian Penal Code.

3. Learned counsel appearing for the petitioner submits that the FIR was registered after one year from the beginning of the commission of the alleged occurrence of sexual harassment and there is no medical evidence to support the allegation of committing abortion of the informant by the petitioner. Learned counsel further submits that the petitioner does not belong to informant's village and admittedly, there was love affair between



the petitioner and the informant who is a major girl. It is further submitted that the petitioner has got no criminal antecedent.

4. Learned APP for the State has opposed the prayer for bail of the petitioner.

5. In the given facts and circumstances of this case as well as considering the above submissions and mainly the fact that the informant was admittedly in relationship with this petitioner for a long period and she come with allegation after the lapse of a considerable period from the beginning of the commission of sexual harassment with her by the petitioner, in my opinion, in the said circumstances, the petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Baisi P.S. Case No. 137 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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