

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77448 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- Maghopur District- Gopalganj

Shamsh Tabrez @ Shams Tabrej Son of Md. Hasnain Resident of Village -
Sareya Narendra, P.S. - Madhopur, District - Gopalganj
... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Nujhat Parveen Daughter of Shaukat Ali Resident of H/18/19 Hari Masjid,
Sun Rise School, P.S. - Jamia Nagar, New Delhi - 110025
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Danish Quamar, Adv.
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-11-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 376, 506
of the Indian Penal Code and Section 4 of the POCSO Act.

3. Allegation against the petitioner is that he
multiple times established physical relation with the informant
(victim) forcefully. It is also alleged that he captured photo and
video of the informant and threatened her to make video viral.

4. It is submitted by learned counsel for the
petitioner that no such occurrence as alleged ever took place.
He has been falsely implicated in this case. The allegation
levelled against the petitioner is not specific rather general and
omnibus in nature. It is further submitted that the said
occurrence took place in 2017 and F.I.R. is instituted in 2024.



The victim was minor on the alleged date of occurrence.
Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for bail of the petitioner. It is next submitted that there is compromise established between the parties.

6. Having regard to the facts and circumstances of the case, considering the fact that there is delay in filing the FIR, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Madhopur P.S. Case No. 32 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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