

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84351 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- MAHILA PS District- Jehanabad

Md.Arif Aslam @ Md. Arief Aslam Son Of Md Samser Alam @ Samsher Alam @ Shamsheer Alam Resident Of Village- Narayanpur, Ps- Shakurabad, Distt- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 354A, 354B, 420, 506 and 509 of the IPC read with Sections 66(E), 67(A) and 67(B) of the I.T. Act and Section 8 of the POCSO Act.

3. The allegation against the petitioner along with others is of outraging the modesty to the informant and made



viral her objectionable pictures on Facebook.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR. The name of the petitioner has come into light on the basis of confessional statement of co-accused persons, which has got no evidentiary value in the eyes of law. There is absolutely no material either in the FIR or the investigation that the petitioner had outraged the modesty of the victim or caused sexual harassment to her or disrobed her rather the specific allegation against co-accused Md. Shamim Alam. There is no specific overt act against the petitioner in respect of the alleged occurrence. He is languishing in judicial custody since 06.09.2023.

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 Additional Session Judge-VI-cum-Special Judge, POCSO Act, Jehanabad in connection with Mahila P.S. Case No. 28 of 2023.

(Sunil Kumar Panwar, J)

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