

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14452 of 2025

Arising Out of PS. Case No.-367 Year-2024 Thana- NARHATT District- Nawada

Md. Danish @ Md. Danish Malik Son of Md. Sagir @ Md. Sagir Khatoon @
Sagir Ahmad @ Md. Sagir Ahmad Resident of Village - Bhatt Bigha, P.S. -
Sirdala, District - Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Raushan Khatoon Wife of Malik Tahir @ Md. Malik Tahir Resident
of Village - Babhnaur, P.S. - Narhat, District - Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj
For the Opposite Party/s : Mr. Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner and

learned counsel for the State.

2. This is the first regular bail application of the
petitioner seeking his regular bail in connection with Narhat P.S.
Case No. 367 of 2024 registered for the offence under Sections
74/75(3)/78(2)/351(2)/3(5) of the Bharatiya Nyaya Sanhita and
Sections 8, 12 of the POCSO Act.

3. In this case, the age of the victim girl is about 17
years. Mother of the victim girl lodged a report alleging therein
that the present applicant is pressurizing her daughter to marry
with him. It is further alleged that on 29.07.2024, the present
applicant caught hold the hands of the victim girl and tried to



outrage her modesty. On the basis of allegations made by the mother of the victim girl, offence has been registered and during course of investigation, the present applicant has been arrested on 05.12.2024.

4. It is submitted by the learned counsel for the petitioner that petitioner is innocent and has falsely been implicated in the present case due to dispute with the family of the victim girl. He further submits that virtually, the family of the victim girl wants to marry the victim girl with the present applicant. Since he denied the marriage, he has falsely been implicated in the present case. Lastly, he submits that the applicant is in custody since 05.12.2024 and charge sheet has been filed in this case. The petitioner has no criminal antecedent and the trial will also take more time. Therefore, on these grounds, it is prayed that the petitioner may be granted benefit of bail.

5. Learned counsel for the informant opposes the arguments raised by the counsel for the petitioner and submits that considering the nature of the offence, as alleged against the petitioner, he is not entitled to get any benefit of regular bail. The State counsel also opposes the arguments raised by the counsel for the petitioner.



6. Heard.

7. Perused the case diary and other materials available on record.

8. Considering the submissions made by the counsel for the petitioner and particularly considering the fact that charge sheet has been filed and petitioner is in custody since 05.12.2024 and the trial will also take more time, I am of the view that it is a case where the petitioner should be granted benefit of bail.

9. Accordingly, the application is allowed.

10. The petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-VI-cum-Special Judge (POCSO Act) in connection with Narhat P.S. Case No. 367 of 2024.

(Arvind Singh Chandel , J)

shailendra/-

U		T	
---	--	---	--

