

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18693 of 2025**

Arising Out of PS. Case No.-45 Year-2025 Thana- GAYA KOTWALI District- Gaya

Md. Shahbaz @ Md. Aasif @ Aasif S/o- Md. Shahnawaz Village- Pani Tanki
Eqbal Nagar PS- Kotwali, Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Gulshan Ara W/o- Md. Anwar @ Md. Anzar Moh- Eqbal Nagar Karbala Ps-
Kotwali Dist- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

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

ORAL ORDER

2 09-04-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kotwali P.S. Case No. 45 of 2025 dated 27.01.2025 registered for the offences punishable u/s 75 of the B.N.S., Section 8 of the POCSO Act and Section 37(2) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the petitioner being in a drunken state is alleged to have molested the informant's daughter and 40.8/100 ml. liquor was detected through Breath Analyzer Test.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious



possession of the petitioner. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 27.01.2025.

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, Gaya in connection with Kotwali P.S. Case No. 45 of 2025 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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