

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25358 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- PIRBAHOR District- Patna

Md. Raza @ Md. Jamal son of Md. Jamil village- Sabjibag, Darji Tola, Raja Ji ke Khandhar, Bakerganj, Gola Road, Moharrampur, Ps- Pirmahore, Dist- patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tara Khatoon Wife of Md. Nasim village- Bakerganj Gola Road, near Kali Mandir, Ps- Pirmahore, Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 13-08-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Special Case No. 40 of 2025, arising out of Pirmahore P.S. Case No. 68 of 2025 of B.N.S., 2023 and section 8 of the POCSO Act lodged on 25.01.2025 by the informant, Tara Khatoon.

3. As per the prosecution story, the informant alleged that when her minor daughter went to purchase grocery items, the petitioner teased her and offered her an amount for a night stand. The daughter narrated her ordeal which followed the FIR.



4. Learned counsel for the petitioner submits that both are neighbours, minor dispute led to this FIR, he has already suffered, is a family man, if granted relief, in no way shall be coming in contact of either the victim girl and/or the family members and failure to do so, the Court concerned shall be free to take recourse for cancellation of the bail bonds, if granted relief.

5. Earlier coordinate bench issued notice to the opposite party no.2 and as per the office notes, ordinary notice has been received by O.P. No.2 personally whereas registered cover notice has been received by Naaj Praveen which has been recorded as family members.

6. Learned APP opposes the prayer submitting that despite being a married man, he tried to induce the victim minor girl.

7. Considering the submissions of the parties, it is unfortunate that the allegation against the petitioner has come of teasing a minor girl, however, in view of the fact he has remained in custody since 02.02.2025, has no criminal antecedent, an undertaking has been given that he shall no in contact of the victim girl/family members, accepting those words, this Court is inclined to extend him the privilege of bail



with conditions.

8 . Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-VI cum Spl. Judge, POCSO, Patna, in connection with Special Case No. 40 of 2025, arising out of Pirbahore P.S. Case No. 68 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ravi/-

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

