

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45517 of 2025

Arising Out of PS. Case No.-69 Year-2024 Thana- SANHAULA District- Bhagalpur

Md. Sajad Alam @ Md. Sajad @ Md. Sajjad Alam S/o- Md. Hamid Mansuri
Resident of village- Disharath PS- Sanhaula District- Bhagalpur
... .. Petitioner

Versus

1. The State of Bihar
2. [REDACTED] Village- Disharath Ps- Sanhaula Dist-
Bhagalpur
... .. Opposite Party/s

Appearance :

For the Petitioner	:	Md Jubair Ansari, Advocate
For the State	:	Mr. Syed Ehteshamuddin, APP
For the Informant	:	Mr. Ashutosh Kumar, Advocate Mr. Rajesh Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 11-09-2025 Heard learned counsel for the petitioner, learned
counsel for the Informant and Mr. Syed Ehteshamuddin, learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 341, 323,
376, 504 and 506/34 of the Indian Penal Code and under Section
4 of the POCSO Act.

3. The case of the prosecution is that the petitioner has
established physical relationship with the informant. The
informant was having affair with the petitioner at her home on
the false promise of marriage. It is further alleged that on
12.05.2024 when she went to the house of the petitioner, his
family members abused her and the petitioner denied to marry



her.

4. Learned counsel for the petitioner has submitted that during course of investigation the victim has given her statement under Section 164 of the Cr.P.C. and she has stated that the petitioner and she were having affair outside marriage and the petitioner was establishing physical relation with her at her home for last six months. Learned counsel for the petitioner has also submitted that from perusal of the FIR itself it is clear that the date of establishing physical relationship is not there, only the date when the informant went to the house of the petitioner is there. It has also been submitted that from perusal of the medical report it is clear that the informant age was above 18 years and that she has refused for her check-up of private parts. Learned counsel has further submitted that the petitioner is having clean antecedent and is in judicial custody since 28.10.2024.

5. Learned counsel for the Informant has vehemently opposed the prayer of bail to the petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with



Sanhaua P.S. Case No. 69 of 2024 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Speical court of POCSO-cum-District and Additional Judge-VII, Bhagalpur.

(Ashok Kumar Pandey, J)

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