

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70422 of 2024

Arising Out of PS. Case No.-110 Year-2024 Thana- MAHNAR District- Vaishali

Mohd. Tauhid @ Md. Tauhid @ Md Tauhid Alam S/o Mohd Sahoob @ Md.
Sahub Ansari R/o village- Kharjamma, PS- Mahnar, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Israt Pravin W/o Md. Ali Sher Ansari R/o vill- Kharjamma ward no 1, PS- Mahnar, District- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mrs. Bela Singh, Advocate
For the O.P. No.2	:	Md. Soban Asghar, Advocate
		Md. Ashad, Advocate
For the State	:	Mr. Narendra Kumar Singh, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 16-07-2025 Heard learned counsel for the petitioner, learned counsel
for the opposite party no.2 and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in Mahnar P.S. Case
No. 110 of 2024 registered for the offences punishable under
Sections 341, 323, 448, 504, 506 and 354/34 of the Indian Penal
Code.

3. The prosecution case, as disclosed in the first information
report, is that 12 years minor daughter of the informant was
forcibly made to sit on the motorcycle by the two accused
persons, one of them being the petitioner and another is Md.
Irfan, and when the informant went to rescue her, they
assaulted him and fled away.

4. It is submitted by learned counsel for the petitioner that



there is inordinate delay of nine days in lodging the first information report. As a matter of fact, the informant is in habit of lodging false cases for fulfilling her illegal demand. A supplementary affidavit filed on behalf of the petitioner disclosing that earlier also a case had been filed against the petitioner and three others for kidnapping her elder daughter, which is Annexure-P/2 series to this petition, in which the police has submitted the final form as the case was not found true against the accused persons.

5. Learned APP for the State and learned counsel for the opposite party no.2 vehemently opposed the bail petition on the ground that the victim girl has been examined under Section 164 Cr.P.C. wherein her age appears to be 14 years and she has deposed that this petitioner had even torn her cloths besides indulging in act of outraging her modesty. However, it is also pointed out that the coercive processes have already been taken against the petitioner as would be evident from the case diary itself. The materials collected during the course of investigation would reveal that a requisition for Section 83 Cr.P.C. has also been filed and another accused of this case, Md. Irfan is arrested and the chargesheet has been filed against him by keeping the investigation pending against the present petitioner.



6. Taking into consideration the facts and circumstances of case as well as the fact that coercive processes have also been issued against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Soni Shrivastava, J)

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