

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73166 of 2025

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

Mohd. Tauhid @ Md. Tauhid @ Md. Tauhid Alam, (Male), aged about 32 years, S/O Mohd. Sahoob @ Md. Sahub Ansari @ Mohammad Sauf, R/V - Kharjamma, P.S- Mahnar, Dist.- Vaishali, Bihar

... .. Petitioner

Versus

- 1. The State of Bihar
- 2. Israt Pravin, W/O Md. Ali Sher Ansari, R/O Village - Kharjamma, Ward No. 1, P.S. - Mahnar, Dist. - Vaishali

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Anuj Kumar, Advocate
For the O.P. No. 2 : Mr. Arun Kumar Mandal, Advocate
For the State : Mr. Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-12-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Mahnar P.S. Case No. 110 of 2024 dated 20.04.2024 registered for the offences punishable under Sections 341, 323, 448, 504, 506, 354 read with Section 34 of the I.P.C. and Section 12 of the POCSO Act.

3. As per the prosecution case, on 11.04.2024 at about 7.45 P.M., the minor daughter of the informant aged about 12 years was forcibly made to sit on the motorcycle by Md. Tauhid Alam (petitioner) and the other co-accused Md. Irfan. It is



further alleged that when the informant came to rescue her daughter, both the accused persons assaulted the informant and her daughter. It is further alleged that when the daughter of the informant cried, nearby people assembled there then the accused persons fled away from there by giving threat that they would come again and her daughter would be kidnapped and whoever would make protest they would be killed. It is further alleged that earlier also the informant had lodged a case bearing Mahnar P.S. Case No. 14 of 2024 against petitioner and others for teasing her elder daughter. It is further alleged that when the informant alongwith her daughter went to narrate the incident to the father of the co-accused Md. Irfan then he abused them and he drove them out of the place and gave threatening that if the complaint is lodged against his son in the police station they would be killed.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the alleged occurrence took place on 11.04.2024 and the F.I.R. has been lodged on 20.04.2024 and there is delay of nine days in lodging the F.I.R., and no explanation for such delay has been given by the prosecution. It is further submitted that there is no medical



report on the record to substantiate the allegation against the petitioner. No incriminating article has been recovered from the possession of the petitioner. There is general and omnibus allegation against the petitioner. There is no independent witness to the alleged offence. It is further submitted that the petitioner has no concern with the alleged offence. It is further submitted that earlier the informant had also lodged Mahnar P.S. Case No. 14 of 2024 on 15.01.2024 against the petitioner and three others for kidnapping her elder daughter in which the police has submitted final form as the case was not found true against the accused persons. It is further submitted that the other co-accused person, namely, Md. Irfan, has already been granted bail by the Co-ordinate Bench of this Court in Cr. Misc. No. 46381 of 2025 vide order dated 15.10.2025. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 06.08.2025.

5. Learned A.P.P. for the State and learned counsel for the informant have 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 District and Additional Sessions Judge-VI-cum-Special Judge, POCSO, Hajipur, Vaishali in connection with Mahnar P.S. Case No. 110 of 2024 with further 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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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