

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89462 of 2024

Arising Out of PS. Case No.-89 Year-2022 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Sanaullah @ Mohammad Sanaullah S/o Md. Hashim R/o Village- Chatara
Bheriyahi, P.S.- Keoti, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shahnaj Begam W/o Late Aslam R/o Village- Chatara Bheriyahi, P.S.-
Keoti, District- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 19-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Complaint Case No. 89 of 2022 dated 15-11-2022, instituted
under Sections 341, 354, 354A of the Indian Penal Code and
Section 12 of the POCSO Act.

3.The allegation against the petitioner is that he
outraged the modesty of the victim girl.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case due to ulterior motives arising out of a land dispute.
It is submitted that the father of the petitioner and the husband



of the complainant are full brothers. As a result, the petitioner and the complainant's daughter are related to each other as cousins. It is further submitted that a certificate issued under the signature of the Sarpanch of Gram Panchayat Raj, Koyala Sthan discloses that several disputes, including land-related litigation, are going on between the parties. A photocopy of the certificate dated 11.10.2024 has been annexed as *Annexure P/2* to the bail application. It is also submitted that although the case has been lodged against four persons, but cognizance has been taken only against the petitioner. Lastly, it is submitted that the petitioner has one other criminal case pending against him, in which he is on bail.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (POCSO Act), Darbhanga, in Complaint Case No. 89 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure,



1973.

7. The application stands allowed.

(Khatim Reza, J)

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