

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87812 of 2024**

Arising Out of PS. Case No.-12 Year-2024 Thana- Cyber P.S. District- Jehanabad

Tausif @ Md. Tausif @ Md. Taurif Son of Md. Alam Resident of Village -  
Kohra, P.S. - Tehta (Makhdumpur), District - Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gulapsa Praveen Daughter of Hasnain Haidar Resident of Village - Kohra,  
P.S. - Tehta (Makhdumpur), District - Jehanabad

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Paras Nath, Adv

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      08-01-2025                      Heard Mr. Mukesh Kumar, learned counsel for the  
petitioner and the State.

2. The petitioner is in custody in connection with  
POCSO Case No. 40 of 2024 arising out of Jehanabad Cyber PS  
Case No. 12/2024 for the offence punishable under sections 354,  
376, 509, 504, 506/34 of the Indian Penal Code and Sections 4,  
6, 15, 17 of the POCSO Act lodged and Sections 66(E), 67,  
67(A), 67(B) of the I.T. Act, instituted on 27.03.2024 by the  
informant.

3. As per the prosecution story, the informant alleged  
that Modasir has made physical relationship with the sister of  
the informant, a video was made, later, through this petitioner it



was sent to her and made it viral. This led to the FIR.

4. It is the case of the petitioner whatever allegation is there, it is against Modasir who has established physical relationship with sister of the informant and only to implicate this petitioner, the allegation of making video viral has been assigned to him. He has already suffered by being in custody since 28.03.2024 and has no criminal antecedent.

5. It is his further submission that the petitioner if granted relief, he intends to visit the Jehanabad Police Station every day for next one week for cleaning the Police Station premises for two hours and further, if allowed, will also like to plant a sapling in the said premises at the end of week.

6. Learned APP opposed the prayer for bail submitting that he has also played the role in making the video viral.

7. Considering the submissions put forward by the parties as also the fact that one Modasir has established physical relationship with the victim and after giving the threatening to the lady, sent the video allegedly, to this petitioner, the petitioner has remained in custody since 28.03.2024 having no criminal antecedent, this Court is inclined to grant bail to the petitioner.

8. This is subject to his movement to the Police



Station concerned (Jehanabad Police Station) every day for one week from 11:00 AM to 01:00 PM, whereafter the Station Head Officer of the Jehanabad Police Station shall allow him to plant a sapling at the end of the week and the report/photograph shall be sent to this Court alongwith his report on 24.01.2025.

9. Let the petitioner, above named, 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 in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors 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.

10. The petitioner shall be filing a supplementary affidavit bringing on record, the report of the S.H.O., Jehanabad/the photographs of planting of the sapling.

11. List this case under the heading “To be Mentioned” on 24.01.2025 at 2:15 PM as a Tied Up matter to peruse the report.

**(Rajiv Roy, J)**

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