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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 4205/2025**

MOHD NOOR ALAM

.....Petitioner

Through: Mr. Rashid Khan with Mr. Talib,
Advocates.

versus

STATE OF NCT DELHI

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP for the
State with SI Akash, PS Jamia Nagar.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **12.02.2026**

1. Applicant is facing trial in FIR No.472/2024, registered at PS Jamia Nagar, for commission of offences under Section 75 of *Bharatiya Nyaya Sanhita (BNS)*, 2023 (corresponding Section 354A IPC) and Section 8 of *Protection of Children from Sexual Offence (POCSO) Act*, 2012.
2. The maximum sentence provided under the abovesaid offence is five years.
3. Applicant seeks regular bail for the reason that he is in custody since 13.12.2024 and he has no previous involvement of any nature, whatsoever.
4. Learned counsel for applicant submits that the victim girl and her mother have already entered into witness box and one more school child, who was travelling in the same van at the relevant time, has also been examined and, therefore, there is no possibility of applicant/accused threatening or intimidating any public witnesses.

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5. The case is of sexual harassment which happened when the victim child was travelling in a private van, driven by the applicant, who was taking her to school.

6. The mother of the prosecutrix has joined the proceedings through *video-conferencing* and has opposed the bail application. She apprehends that the applicant may, still, visit their locality and may threaten them.

7. Learned counsel for the applicant submits that he would abide by any condition to be imposed in this regard and assures that if released on bail, the applicant shall not contact any of the prosecution witness, in any manner, whatsoever and would not visit the locality, where she is residing at present.

8. The Nominal Roll has already been received which indicates that the applicant is in custody from the date of his arrest and is not having any previous involvement.

9. The Investigating Officer, who is present in Court, also confirms that he has not come across any instance of his previous involvement.

10. Out of 19 witnesses, the prosecution has been able to examine only 4 witnesses. Therefore, the trial is not likely to conclude in near future.

11. Keeping in mind the overall facts of the case and his clean antecedents, the applicant is directed to be released on bail on his furnishing personal bond in a sum of Rs. 25,000/- with one surety of like amount, subject to the satisfaction of learned Trial Court/CMM/Duty Magistrate with following conditions:-

- (i) *The applicant would provide his Mobile Number to the concerned I.O and would ensure that such Mobile Number remains active and operational, till the disposal of the case by the learned Trial Court.*



- (ii) *The applicant would not try to come in contact of complainant and her family members, directly or indirectly.*
- (iii) *The applicant will not visit the locality where the child victim is residing.*

12. The application stands disposed of in aforesaid terms.

13. A copy of this order be immediately sent to the learned Trial Court and Jail Superintendent for information and necessary compliance.

MANOJ JAIN, J

FEBRUARY 12, 2026

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