

IN THE COURT OF THE METROPOLITAN SESSIONS COURT
RANGA REDDY DISTRICT AT LB NAGAR

Present: Sri Nandikonda Narsing Rao
Metropolitan Sessions Judge
Ranga Reddy District

Friday, this the 10th day of July, 2020

Tem.CrI.M.P No. 725 of 2020

in

Crime No. 354 of 2020

(PS Pahadishareef)

Between:

Mohd Jahangeer S/o. Mohd. Rafoeq
Aged 20 Years, Occ: Auto Driver
R/o. 19-4-7/A/199, Al-Jubail Colony
Falaknuma, Hyderabad

...Petitioner/Accused

And

State of Telangana
Through PS Pahadishareef
Rep by Additional Public Prosecutor

...Respondent/Complainant

This petition is coming for hearing through Whatsapp Group Video Call in view of complete lockdown of the country and suspension of works in subordinate courts of State of Telangana on account of outbreak of Novel Coronavirus (Covid-19) in the presence of Sri T. Jashwanth Kumar, Advocate for the Petitioner/Accused and of Sri K. Raj Reddy, Additional Public Prosecutor for the State and upon perusal of the material papers sent through e-mail and having heard through video conference call, the following order is made:

O R D E R

1. The petitioner who is accused involved in Crime No. 354 of 2020 of PS Pahadishareef registered for the offence under Sections 366 and 376 (2) (f) (i) of IPC and Section 3 read with 4 of the POCSO Act has filed this petition under Section 439 of Cr.P.C seeking regular bail. This is the 3rd bail application and that the petitioner is in judicial remand since 09-06-2020.

2. It is the case of the prosecution that the victim girl is a minor aged only 13 Years and that the accused being brother of husband of elder sister of the victim developed acquaintance with the victim girl and enticed her in the name of love and took her to a Dargah where they spent that night in the dargah and took her to Pahadishareef area to an isolated place, where he convinced that he is going to marry her and participated in sexual intercourse.

3. The learned counsel for the petitioner contended that the accused is innocent of the offence and he has been falsely implicated and all the allegations are false and frivolous and as material part of the investigation is concluded and as the petitioner is in judicial remand since 09-06-2020, prayed to grant bail to the petitioner.

4. On the other hand, the learned Additional Public Prosecutor opposed to grant bail.

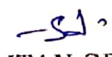
5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor through WhatsApp group video call and perused the material placed.

6. Now the point for consideration is: Whether the petitioner is entitled for bail as prayed for?

7. POINT: Heard the counsel for the petitioner and the learned Additional Public Prosecutor. Perused the material placed. As seen from the record, this is the 3rd bail application filed by the petitioner. Earlier similar bail applications were filed and the same were dismissed considering the nature and gravity of the offence and as the investigation of the crime is still under progress. Now the present bail application is filed contending that there are changed circumstances and that the petitioner is in judicial custody since 09-06-2020. As per the prosecution, the prosecution has examined all the material witnesses and it seems that material part of the investigation has been concluded except recording the 164 Cr.P.C statement of the victim and due to the present pandemic situation, it may took some time for recording the statement of the victim. Hence considering the same and as the petitioner is in judicial remand since 09-06-2020, I am of the considered view that the petitioner can be enlarged on bail with conditions.

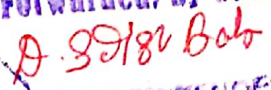
8. In the result, the petition is allowed subject to condition that the Petitioner/Accused shall execute a personal bond for a sum of Rs.10,000/- with two sureties for likesum each to the satisfaction of V AMM, RR District and the sureties shall place their identity and residential proofs such as voter ID card or Aadhar card or Ration card. If the petitioner furnishes the sureties of FDRs, the sureties shall furnish the copy of bank pass book. If the sureties furnish solvency certificates such as property or salary certificates, they shall be subject to verification of genuineness of the sureties through police. Further, the petitioner shall not interfere with the investigation and shall not reside within the limits of the jurisdiction of PS Pahadishareef and shall not visit the residence of the victim. In case of violation of conditions, the prosecution is at liberty to take steps against the petitioner for cancellation of the bail.

Dictated to the Stenographer through online audio call, typed by him corrected and pronounced by me on this the 10th day of July, 2020.


METROPOLITAN SESSIONS JUDGE
CYBERABAD, R.R. DISTRICT

Copy to:
1) The V AMM, RR District
2) SHO, PS Pahadishareef
3) Counsel for the Petitioner/Accused

True Copy/Forwarded/by Order

for 
SUPERINTENDENT
Z.A.D.J. COURT
R.R. DISTRICT