

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27480 of 2014

Arising Out of PS.Case No. -6 Year- 2014 Thana -MAHILA P.S. District- KISANGANJ

1. Pappu Khalifa Son of Rustam Khalifa
2. Rustam Khalifa Son of Late Saryug Khalifa Both resident of Village Mirkalapur (Nadail), P.S. Bakhari, District Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.34358 of 2014

Arising Out of PS.Case No. -6 Year- 2014 Thana -MAHILA P.S. District- KISANGANJ

1. Manzoor Khalifa, son of Late Shankar Khalifa, Resident of village - Khagar Hathipatti, P.S. Kishanganj ,- District -Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.27480 of 2014)

For the Petitioner/s : Mr. Yogesh Kumar

For the Opposite Party/s : Mr. Parmanand Kumar (App)

(In Cr.Misc. No.34358 of 2014)

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Nityanand(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 19-01-2015 Both the Criminal Miscellaneous applications arise out of the same police station case and as such both applications have been heard together and are being disposed of by passing this common order.

Heard the parties.

These are the applications for anticipatory bail for the offence punishable under sections 366-A, 372, 373 and 120 B of the I.P.C and sections 3, 4 and 5 Immoral Traffic Act.

Allegedly, on information a raid was conducted at the house of one Nagina Devi and boys and girls in objectionable condition and in another room boys and girls were recovered in a naked condition and on interrogation they disclosed that they were residing in the house of Nagina Devi where the business of brothel was run by Krishna Khalifa @ Kasim, Nanda Khalifa, Manzoor Khalifa, Munni Khatoon and others and the petitioners Rustam Khalifa and his son Pappu Khalifa are indulged in immoral trafficking.

Submission is that during investigation one of the girl, namely, Marzina Khatoon @ Resham had given her statement recorded under section 164 Cr.P.C. where she had denied all the allegations and Khusboo @ Baby filed a petition in the Court of C.J.M. Kishanganj that she is not being indulged in any such activities and as such the petitioners are being harassed only with a view to tarnish their images. The petitioner Pappu Khalifa has filed a petition regarding his false implication before the Human Right Commission, Bihar, Patna, copy of which has been sent to D.G.P. Bihar, D.I.G. Munger and Human Right Commission, New

Delhi and as such he deserves sympathetic consideration.

The learned A.P.P. fairly submits that from the statement under section 164 Cr.P.C. and the compromise petition filed by the victim girls it is manifest that they deserve lenient view.

In the facts and circumstances stated above, considering that in the statement under section 164 Cr.P.C. Marzina Khatoon @ Resham has not supported the allegation of prosecution. Khusboo @ Baby has filed a petition in the Court of C.J.M. Kishanganj and as such these petitioners, in case of their arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M. Kishanganj in Kishanganj Mahila P.S. Case No. 06 of 2014, subject to the conditions as laid down in section 438 (2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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