

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21986 of 2015

Arising Out of PS.Case No. -104 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Ashok Kumar, Son of Late Tarachand, Resident of village - Rajendra Nagar, P.S.- Bichla Guard Chauki, District - Ballia (U.P.).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party : Mr. Shailendra Kumar-II, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-06-2015 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with POCSO Case No.07 of 2015 arising out of Begusarai Town P.S. Case No.104 of 2015 for the offence punishable under Sections 363, 365, 366A, 372, 373, 370A and 120B read with Section 34 of the Indian Penal Code, Sections 3, 4, 5, 6 and 7 of the Prevention of Immoral Traffic Act and Sections 4 and 8 of the POSCO Act.

The prosecution story, in brief, is that on 25.02.2015 at about 5.00 P.M. the informant received confidential information that near Kapsiya Chowk, in the house of late Meman Nisha, a brothel house was being run and several girls were brought there and indulged them in prostitution. To verify this information, after informing superior police officer, she in the leadership of S.D.P.O.



along with other police personnel, proceeded from the Police Station and reached near the house of said Late Meman Nisha and on seeing the police vehicle some persons came out from the house and tried to flee away. On chase, they were apprehended by the police personnel. On interrogation, they disclosed their names as Rupesh kumar, Ashok Kumar, Md. Ishak. Thereafter they raided that house and from inside the house, Lalo Devi, Gita Khatoon, Shabnam Khatoon, Puja Kumari, Manisha Kumari, Mahi Khatoon, Rita Devi and Rubi Kumari were recovered from that house. It is further alleged that Lalo Devi, Gita Khatoon and Salma Khatoon collected and brought the said girls here and indulged them in prostitution forcibly When any of the girls refused, they tortured her.

It has been submitted on behalf of the petitioner that the petitioner has been made accused in the present case due to mistake of fact. Further attention has been drawn to the statement made under Section 164 of the Code of criminal Procedure which is Annexure-2 to the present application. From perusal of the same it appears that the victim girl has not named the petitioner.

On behalf of the State, the same fact has been conceded.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail

bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Ist Additional Sessions Judge-cum-Special Judge, Begusarai in connection with POCSO Case No.07 of 2015 arising out of Begusarai Town P.S. Case No. 104 of 2015.

(Sudhir Singh, J)

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