

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 21771 of 2017

Arising Out of PS.Case No. -226 Year- 2015 Thana -BALLIA District- BEGUSARAI

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Ram Ishwar Khalifa @ Ishwar Khalif, Son of late Dhanik Khalifa, R/o
Village- Satti Chaura, P.S.- Balia, District- Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 12-07-2017 Heard Sri Ashok Kumar Jha, learned counsel for the
petitioner and Sri Nirmal Kumar Sinha, learned Addl. Public
Prosecutor.

The petitioner, who is named in the F.I.R. i.e. Ballia
P.S. Case No. 226 of 2015 (POCSO Case No. 33 of 2015)
registered for offence under Sections 420, 467, 468, 471,
120(B)/34 of the Indian Penal Code, Sections 3, 4 , 5 & 6 of the
Immoral Traffic (Prevention) Act, 1956 (for short “Immoral
Traffic Act”) and Sections 4/8 of Protection of Children from
Sexual Offences Act, 2012 (for short “POCSO Act”), has
approached this Court with a prayer to extend the privilege of
anticipatory bail, whereas, in paragraph – 3 of the petition, it is
evident that he was accused in a case i.e. Ballia P.S. Case No. 74



of 2014 for offence under Section 366(A) of the Indian Penal Code, Sections 3, 4 of the Immoral Traffic Act and Sections 4, 6 & 8 of POCSO Act. Besides this, he is accused in another case i.e. Ballia P.S. Case No. 100 of 2013 registered under Section 376 of the Indian Penal Code and Sections 3, 4, 5 & 6 of Immoral Traffic Act.

A plea has been taken that allegedly, the two girls, who were recovered from the house of the petitioner, are none else but the daughters of the petitioner. It has been admitted by learned counsel for the petitioner that the petitioner is having two wives, whereas, in the F.I.R., there is allegation that by forged documents, the accused had tried to show that recovered girls were their family members.

Considering the antecedent of the petitioner as well as the fact that there is specific accusation in the F.I.R. against the petitioner, there is no point for considering the prayer for anticipatory bail.

Dismissed.

(Rakesh Kumar, J.)

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