

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7194 of 2018

Arising Out of PS. Case No.-163 Year-2015 Thana- BALIA District- Begusarai

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K.b. Khaliffa @ Ajay Khaliffa S/o Late Ghuran Khalifa, R/o Chhoti Ballia-
Mathurapur, P.S.- Ballia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. SRI RAJBALLABH SINGH

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 28-02-2018 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks bail in **Ballia P.S. Case No. 163 of 2015** registered for the offence punishable under Sections 341, 323, 363, 366A, 368, 370A, 370D, 372, 373 and 120B/34 of the Indian Penal Code, under sections 3, 4, 5, 6, 7, 8 and 9 of the Immoral Traffic Act and Section 4/8 of the POCSO Act.

It has been submitted on behalf of the petitioner that the petitioner has committed no offence and has been falsely implicated in this case. It has been further submitted by learned counsel for the petitioner that during raid one Gita Kumari was recovered and she in her statement



recorded under Section 164 of the Cr.P.C stated that on Dipak Kumar enticed her away from her house and he brought her to Muzaffarpur and sold her to a female after taking Rs. 25,000/- and then the said female called the others and brought her to Baliya where she was indulged in evil work to which she objected and when Police came the lady fled away after leaving her and then the Police brought her to Baliya and victim Gita Kumari has not named the petitioner nor she had alleged any specific overt act against the petitioner. Another victim Neha Kumari in her statement under Section 164 of the Cr.P.C has disclosed the name of the petitioner and had made allegation that the petitioner forced her to do evil work and due to objection raised by her she was being assaulted and as per the statement of another victim Neha Kumari, there is omnibus allegation against the petitioner. Petitioner is in custody since, 30.11.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction



of learned **1st Additional Sessions Judge-cum-Special Judge, POCSO Court, Begusarai** in connection with **POCSO Case No. 45 of 2015** arising out of **Ballia P.S. Case No. 163 of 2015.**

(S. Kumar, J)

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