

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.76718 of 2018**

Arising Out of PS. Case No.-392 Year-2018 Thana- PURNEA SADAR District- Purnia

1) Sagina Khatoon, D/o Late Suleman  
2) Sakina Khatoon, D/o Alauddin  
3) Sabana Khatoon wife of Late Alam  
4) Md. Hafiz alias Abdul Hafiz, son of late Abdul Hamid @ Md. Hamid  
All resident of Mohalla Zero Mile Gulab Bagh, P.S. Sadar, District,  
Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh Kumar  
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      19-12-2018                      Heard learned counsel for the parties.

Petitioners seek bail in Sadar P.S. Case No. 392 of 2018 registered for the offence punishable under Sections 341, 342, 370(A), 372, 373, 376, 366(A), 120(B) of the Indian Penal Code, Sections 3, 4, 5, 6, 7 of Immoral Traffic Act, Section 75 of the J.J. Act and Section 3/4 of POCSO Act.

Allegation as per written report is that police received information that some accused persons brought some minor girls in Zero mile and kept them in a house and they were engaged in immoral trafficking and police raided the place and apprehended accused persons including the petitioners.

It has been submitted that petitioners are innocent and



they have falsely been implicated in this case. It has been submitted that at the time of occurrence, the petitioners were passing through and merely on suspicion, they were apprehended due to local politics. Petitioners have no criminal antecedent and they are in custody since 17.07.2018. Similarly placed co-accused Mithu and another have already been granted bail by a co-ordinate Bench of this Court vide order dated 06.12.2018 passed in Cr. Misc. No.70126 of 2018.

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/- each with two sureties of the like amount each to the satisfaction of learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, POCSO Act, Purnea in connection with Sadar P.S. Case No. 392 of 2018 giving rise to Special Case No.102/18, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and



their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

**(S. Kumar, J)**

Sanjay/-

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