

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7097 of 2020

Arising Out of PS. Case No.-809 Year-2019 Thana- RAMKRISHNANAGAR District- Patna

Babloo Kumar aged about 45 years, Gen.- Male, S/O Sri Sita Ram Kumar,
Resident of village- Maghara, Bihar Sarif, P.S.- Deep Nagar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Mishra, Advocate

For the Opposite Party/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 29-05-2020 Heard Mr. Upendra Mishra, learned counsel for the

petitioner and Mr. Binay Krishna, learned counsel appearing for

the State through video conferencing.

The petitioner seeks regular bail in connection with
Special Case No. 234 of 2019 (State Vrs Pradeep Sahni and
others) arising out of Ram -Krishna Nagar P.S. Case No. 809 of
2019 registered for the offence punishable under Section 372/
376/ 354/34 of the Indian Penal Code, 1860 , under Section 4,
10, 16 of the POCSO Act , Section 3(i), (v), 3(2) (v) of the SC /
ST Act and Section 5 of the Immoral Traffic Act.

The allegation against the petitioner as per the First
Information Report in brief is that the victim -Kareena Kumari
used to live with her parents in the house of Rameshwar Pandit
on rent. It has also been alleged that she met one Pradeep Sahni
@ Amit Sahni @ Gorka and his wife- Puja Kumari @ Neelam



Kumari, who were residents of Alamganj Police Station and told them her woes and friend of Kareena Kumari, Komal Kumari also complained like the informant. Thereafter, both the informant and her friend escaped from their houses on 20.10.2019 and went to the house of Puja Kumari. After some days, they came to know that Puja Kumari and her husband were indulged in the business of prostitution and Puja Kumari used to supply girls to different places and they pressurized the victim to enter in the said flesh business and during their stay at her house, her husband molested them several times also. She has further complained that she had stayed in the house of Sanjay Agrawal where Salma Khatoon was running a brothel and co-accused Babloo Kumar and Veena Ranjan used to co-operate Salma Khatoon and Kushum Devi in their flesh trade. On 12.11.2019, Puja Kumari along with her husband brought Komal Kumari to Mithapur bus stand with intention to sell her for two lakh rupees, but after knowledge both the victims fled away and informed the Police.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case inasmuch as petitioner was not instrumental in alluring or provoking or



pressurizing the informant or her friend to enter into the flesh trade. Learned counsel referring to paragraph nos. 30 and 31 of the case diary submits that the statement of the victim girls under Section 164 of the Cr.P.C. have been recorded by the Police in which they have not stated anything against the petitioner. Learned counsel further submits that similarly situated co-accused namely, Veena Ranjan has been granted bail by this court in Cr. Misc. 9166 of 2020.

On the other hand, learned counsel for the State referring to paragraph no. 11 of the case diary submits that in his confessional statement the petitioner has disclosed his complicity in the offence.

Having heard learned counsel for the parties and taking into consideration the fact that the victim girls in their statement recorded under Section 164 of the Cr.P.C. have not stated anything against this petitioner and further similarly situated accused person has been granted bail by a Co-ordinate Bench of this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each



to the satisfaction of learned Addl. Sessions Judge 1st cum
Special Judge (POCSO) Patna in connection with Spl (POCSO)
Case No. 234 of 2019 arising out of Ram -Krishna Nagar P.S.
Case No. 809 of 2019 (State Vrs Pradeep Sahni and others).

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding lockdown
and social distancing.

(Anil Kumar Sinha, J)

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