

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62866 of 2019

Arising Out of PS. Case No.-305 Year-2019 Thana- BALIYA District- Begusarai

1. Rahul Khalifa Son of Shankar Khalifa Resident of Village - Satti Chaura,
Chhoti Ballia, Ward No.14, P.S.- Ballia,, Distt.- Begusarai.
2. Md. Shamshad Son of Md. Wasim Mistri Resident of Village - Lakhminiya,
P.S.- Ballia, Distt.- Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. N. K. Agrawal, Sr. Adv.
Mr. Ashok Kumar Jha, Adv.
For the Opposite Party : Mr. Shailendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

7 29-05-2020 Heard learned counsel appearing for the petitioners as well as learned counsel appearing for the State through video conferencing.

Petitioners seek bail in connection with Ballia P.S. Case No. 305 of 2019 registered for the offences punishable under Sections 364, 366-A, 367, 370, 370-A, 371, 372, 373, 376, 120B/34 of the I.P.C., Sections 3, 5, 6, 7, 8 of Immoral Traffic Act, Sections 4, 6, 12, 17 of POCSO Act and Section 75/18 of Children Justice Act.



Police, having got confidential information, raided the house of FIR named accused Shankar Khalifa and recovered four girls. The claim of the informant is that recovered girls were trapped and they were forcibly thrown into flesh trade. Petitioners are also named in the first information report and according to prosecution case itself, petitioner no. 2 was customer and so far as petitioner no. 1 is concerned, no specific overt-act has been attributed against him. However, the statements of recovered girls were recorded under Section 164 of the Cr.P.C. but they have stated nothing against the petitioners. Petitioners are in jail custody since long and except two cases against petitioner no. 1, there is no any other criminal antecedent of the petitioners.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge cum Special Judge, POCSO Act, Begusarai in connection with Ballia P.S. Case No. 305 of 2019.

However, it is made clear that if the petitioners fail to make available sureties due to lockdown as well as due to



prevailing situation, the concerned court shall release the petitioners provisionally on personal bond with condition that petitioners shall furnish the sureties when lockdown is over.

(Hemant Kumar Srivastava, J)

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