

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15135 of 2021**

Arising Out of PS. Case No.-269 Year-2020 Thana- BANMANKHI District- Purnia

1. Sahila Khatoon @ Sohel Khatoon, Wife of Late Manjur, Resident of village Amrapali Nagar, P.S. Banmankhi, District - Purnea.
2. Najma Khatoon, Wife of Late Md Shahid, D/o Noior Mohumad, Resident of Village - Maveshi Hat Banmankhi Ward no. 12, P.S. Banmankhi, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate  
For the Opposite Party/s : Mr. Upendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      07-10-2021                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

Petitioners seek bail in Banmankhi P.S. Case No.269 of 2020, giving rise to Special (POCSO) Case No.73 of 2020, registered for the offences punishable under Sections 323, 353, 346, 367, 368, 370, 370(a), 372, 373, 376, 120(B) of the Indian Penal Code, Sections 4, 6, 12, 17 of the POCSO Act as well as under Sections 3, 4, 5 and 6 of the ITP Act.

The prosecution case in short is that police got information that several minor girls have been brought from different parts of India and Bihar for the purpose of indulging in prostitution by the FIR named accused, namely, Nizam @ Noor



Alam and others. On such information, police raided the house of Nizam @ Noor Alam and other accused persons and rescued four minor girls from forceful flesh trading. The petitioners were also involved in flesh trading.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. Petitioners have falsely been implicated in this case due to ulterior motive. Charge sheet has been submitted in the present case. There is no eye witness to the occurrence. The statements of the victim have been recorded u/s 164 Cr.P.C., in which they have not supported the fact of prostitution. No incriminating article has been recovered from the conscious possession of the petitioners. The petitioners have got no criminal antecedent and they have been languishing in custody since 19.10.2020.

Learned APP for the State opposed the prayer for bail of the petitioners.

Having considered the facts and circumstances of the case, let petitioners, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the



satisfaction of learned Additional District Judge, 06<sup>th</sup>-cum-Special Judge (POCSO) Act, Purnea in connection with Banmankhi P.S. Case No.269 of 2020, giving rise to Special (POCSO) Case No.73 of 2020.

**(Anjani Kumar Sharan, J)**

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