

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35779 of 2020

Arising Out of PS. Case No.-303 Year-2020 Thana- BAKHARI District- Begusarai

PAPPU KHALIFA son of Rustam Khalifa, Resident of Village- Nadail, P.S.-
Bakhari, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Sharma, Sr. Adv.

For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 24-06-2021 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Bakhari P.S.

Case No.303 of 2020 registered under Sections 323, 346, 363,
366(A), 368, 370, 370(A), 370(A)(2), 371, 376, 376(C)(A), 386,
504, 506 and 34 of the Indian Penal Code, under Sections 3, 4, 5
6 of Immoral Traffic (Prevention) Act, under Sections 4 and 6 of
the Protection of Children from Sexual Offences Act as well as
under Sections 75 and 81 of the Juvenile Justice Act.

The informant (S.H.O. of Bakhari P.S.) alleged that on

18.07.2020 he got information in the night that Pappu Khalifa
(petitioner) was running prostitution after taking minor and
major girls from different areas of Bihar and other States. After
having received such information, a raid was conducted under
the supervision of Sub-Divisional Police Officer, Bakhari. On

search, Sangeeta Kumari and Khushbu Devi were apprehended. One Avinash Kumar said to be the customer was also apprehended. Sangeeta Kumari is said to have disclosed that about five years ago she came out from her house along with a boy. Pappu Khalifa came across. Pappu Khalifa brought her to Bakhari. Pappu Khalifa and Pramod Khalifa forcibly established physical relation with her and forced her to flesh trade. Khushbu Devi also stated that Pappu Khalifa brought her and forced her to flesh trade.

Learned counsel for the petitioner submits that the petitioner is innocent and in fact he has committed no offence. The petitioner has falsely been implicated in the case. Sangeeta Kumari made her statement under Section 164 of the Cr.P.C. and she disclosed that the police came to her house and forcibly took her along with Khushbu Devi and kept them in police station. Khushbu Devi also made the same and similar statement under Section 164 of the Cr.P.C. The victims did not disclose that she was forced to any flesh trade in her statement under Section 164 of the Cr.P.C. The victims were examined by the doctor and they were found major. The petitioner claimed that Sangeeta Kumari is his wife and Khushbu Devi is the wife of his brother. It is further submitted that one of the victims had

earlier made a complaint against the police, who raided the house but from perusal of the case-diary, it appears that during the course of investigation the witnesses have also reiterated that the police raided the house and apprehended two women and Avinash Kumar in objectionable condition. The witnesses also disclosed that the petitioner was running prostitution in his own house. The petitioner has got criminal antecedent and he is also accused in another case of similar nature.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the learned court below shall consider the regular bail of the petitioner on its own merit without being prejudiced from the order of this Court.

(Prabhat Kumar Jha, J)

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