

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5681 of 2022**

Arising Out of PS. Case No.-288 Year-2021 Thana- LAURIA District- West Champaran

NIRANJAN BARMAN Son of Nirankuj Varman Resident of - Nursing,
Harpur, P.S. Shantinagar, District - Nadia, (West Bengal).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Shilpi Keshri, Advocate
For the Opposite Party/s : Mr.Mohammad Sufyan, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

2 13-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

In the present case, the petitioner seeks bail in
connection with Lauriya P.S. Case No. 288 of 2021 registered
for the alleged offences under Sections 363, 366A, 370A, 354
and other minor sections of the Indian Penal Code, sections
3,4,5, 6, 7, 8 of Human Trafficking Act, sections 8,12, 17 of
POCSO Act and 75 of JJ Act.

The prosecution case is that the petitioner and other
co-accused persons were using two minor girls for wrongful
purpose.

Learned counsel for the petitioner has submitted that



the petitioner is husband of one of the alleged victims and brother-in-law of another victim. Both victims have recorded their statement under section 164 Cr.P.C where they have not stated anything about any wrongful act being done by petitioners. The so-called victims work in orchestra and there is no evidence of any sexual assault or establishment of physical relationship by co-accused persons. Learned counsel further submitted that moreover, there is nothing on record to show that what wrongful act was being committed by the petitioner. Petitioner is in custody since 18.11.2021.

Learned APP has opposed the contentions of learned counsel for the petitioner and has submitted that victims are minor and there is presumption of wrongful act by the petitioner and other co-accused persons and case has been registered under the POCSO Act.

Having regard to the submission made hereinabove and considering the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Special Judge (POCSO), West Champaran, Bettiah/court concerned in connection with Lauriya P.S. Case No. 288 of 2021, subject to the following conditions:



(i) One of the bailors will be a close relative of the petitioner, preferably one of the parents.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

s.hassan/-

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