

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68833 of 2021**

Arising Out of PS. Case No.-598 Year-2021 Thana- SITAMARHI District- Sitamarhi

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LADDU KUMAR @ LADDU KUMAR SAH S/o Dahaur Sah Resident of
Village- Maudah, P.S.- Sahiyara, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 18080 of 2022

Arising Out of PS. Case No.-598 Year-2021 Thana- SITAMARHI District- Sitamarhi

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SEHNAZ @ SEHNAZ KHATOON D/o Shankar Khalifa Resident of Village
- Boha Tola, Ward no.09, P.s.- and Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 68833 of 2021)

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Informant : None

For the Opposite Party/s : Mr.Nagendra Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 18080 of 2022)

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Informant : None

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-04-2022

CRIMINAL MISCELLANEOUS No.68833 of 2021

Heard learned counsel for the petitioner, learned APP
for the State, and no one has appeared for the informant.

The petitioner seeks bail in a case registered for the
offences under Sections 363, 365, 366A, 370, 370A, 372, 373,
376, 120B and 34 of the Indian Penal Code read with Sections



3, 4, 5 and 6 of the Immoral Traffic Act, Sections 4 and 6 of the POCSO Act and Sections 75 and 79 of the Juvenile Justice (Care & Protection of Children) Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 30.07.2021, charge-sheet has been submitted in the case and has antecedent of three cases.

Learned counsel for the petitioner submits that the informant alleges that the petitioner along with other accused persons is entrenched in flesh trade and for that purposes, minor girls have been kidnapped from different areas of Bihar and other parts of the country. Further it is alleged that from the house of Meena Khatoon and other accused persons, several minor victims were recovered who disclosed that the accused persons forcefully made them indulge in flesh trade.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and in the F.I.R it is alleged that petitioner was arrested from the house of Manjoor Khalifa. Learned counsel further submits that if what has been alleged in the FIR is true then definitely FIR relating to the kidnapping of the victims must have been instituted either by the parents or by the family members of the victims but the FIR is completely silent in that respect which



amply demonstrates that the victims on her own volition were participating in the flesh trade and when they were arrested they came with a false story implicating the accused persons.

Learned counsel for the petitioner further submits that co-accused Meena Khatoon and Heena Khatton have been granted bail by order dated 15.02.2022 in Cr. Misc. No. 53852 of 2021, Nafisa Khatoon has been granted bail by order dated 23.03.2022 in Cr. Misc. No. 62262 of 2021, with a condition that petitioner will be released after framing of charge, Umesh Rai has been granted bail by order dated 15.02.2022 in Cr. Misc. No. 53900 of 2021 and Md. Yusuf has been granted bail by order dated 22.02.2022 in Cr. Misc. No. 54829 of 2021. Learned counsel further submits that all the co-accused have been granted bail without condition, except Nafisa Khatoon in view of the nature of allegation as alleged against her.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 30.07.2021, charge-sheet has been submitted, co-accused have been granted bail and taking into consideration the submissions made by the learned counsel for the petitioner, the petitioner is directed to be released on bail on furnishing bail



bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sitamarhi P.S. Case No. 598 of 2021.

CRIMINAL MISCELLANEOUS No. 18080 of 2022

Heard learned counsel for the petitioner, learned APP for the State, and no one has appeared for the informant.

The petitioner seeks bail in a case registered for the offences under Sections 363, 365, 366A, 370, 370A, 372, 373, 376, 120B and 34 of the Indian Penal Code read with Sections 3, 4, 5 and 6 of the Immoral Traffic Act, Sections 4 and 6 of the POCSO Act and Sections 75 and 79 of the Juvenile Justice (Care & Protection of Children) Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 30.07.2021, charge-sheet has been submitted in the case, is a person with clean antecedent and is a women.

Learned counsel for the petitioner submits that the informant alleges that the petitioner along with other accused persons is entrenched in flesh trade and for that purposes, minor girls have been kidnapped from different areas of Bihar and other parts of the country. Further it is alleged that from the house of Meena Khatoon and other accused persons, several



minor victims were recovered who disclosed that the accused persons forcefully made them indulge in flesh trade.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and in the F.I.R it is alleged that from the house of the petitioner one victim has been recovered but she has not taken the name of the petitioner in her statement recorded under Section 164 of the Cr.P.C.

Learned counsel for the petitioner further submits that co-accused Meena Khatoon and Heena Khatton have been granted bail by order dated 15.02.2022 in Cr. Misc. No. 53852 of 2021, Nafisa Khatoon has been granted bail by order dated 23.03.2022 in Cr. Misc. No. 62262 of 2021, with a condition that petitioner will be released after framing of charge, Umesh Rai has been granted bail by order dated 15.02.2022 in Cr. Misc. No. 53900 of 2021 and Md. Yusuf has been granted bail by order dated 22.02.2022 in Cr. Misc. No. 54829 of 2021. Learned counsel further submits that all the co-accused have been granted bail without condition, except Nafisa Khatoon in view of the nature of allegation as alleged against her.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.



Considering the fact that the petitioner is in custody since 30.07.2021, is a person with clean antecedent, charge-sheet has been submitted, co-accused have been granted bail and taking into consideration the submissions made by the learned counsel for the petitioner, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sitamarhi P.S. Case No. 598 of 2021.

(Satyavrat Verma, J)

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