

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24344 of 2022

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

Pappu Khalifa @ Pramod Khaliffa Son Of Rustam Khaliffa R/O Village-
Nadail, P.S.- Bakhari, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 323, 346, 363, 366A, 368,
370, 370(2), 371, 376, 376(C) (A), 386, 504, 506/34 of the
Indian Penal Code and Sections 3, 4, 5, 6 of Immoral Traffic Act
and Sections 4/6 of POCSO Act and Sections 75, 81 of the J.J.
Act.

According to prosecution case, 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 petitioner is innocent and he has falsely been implicated in the present case. He further submits that the alleged raid has been conducted by the police on the basis of secret information received from the spy. He further submits that in fact the recovered girl where the family members of the accused persons one of the recovered girl namely, Khushbu Devi is wife of the present petitioner and the statement of the recovered girl was recorded under Section 164 Cr.P.C. in which they were not supported the case of the prosecution and her age has been



determined that they are major and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 25.03.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries two criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with POCSO Case No. 25 of 2020 arising out of Bakhari P.S. Case No. 303 of 2020, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the



prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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