

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53900 of 2021

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

Umesh Rai S/O Sri Ramchandra Rai R/O Village-Gaura, P.S-Nanpur, District-Sitamarhi.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in connection with Sitamarhi
P. S. Case No.598 of 2021, instituted for the offences under
Sections 363, 365, 366A, 370, 370A, 372, 373, 376, 120B/ 34 of
the Indian Penal Code, Sections 3, 4, 5, 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.

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

The learned counsel for the petitioner submits that the
informant alleges that the petitioner is entrenched in flesh trade



and for that purposes, minor girls have been kidnapped from different areas of Bihar and other parts of country and from the house of Meena Khatoon and other accused persons several other minor victims were recovered, who disclosed that the accused persons forcefully make them indulge in flesh trade.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. In the F.I.R., it is alleged that the petitioner was also one of the persons, who was apprehended from the place of occurrence. Learned counsel submits that if what has been alleged is true in the F.I.R., then definitely F.I.R. relating to the kidnapping of the victims must have been instituted either by their parents or by their family members, but the F.I.R. 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 out with a false story implicating the accused persons.

The learned counsel further submits that all the victims, who are alleged to be minor in the F.I.R., are major as has been specifically pleaded at Para-11 of the bail application. It is further submitted that co-accused Meena Khatoon and Heena Khatoon have been granted bail by order dated



15.02.2022 in Cr. Misc. No.53852 of 2021.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in the case and taking into consideration the submission of the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, Sitamarhi in connection with Sitamarhi P. S. Case No.598 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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