

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10091 of 2023

Arising Out of PS. Case No.-340 Year-2022 Thana- BALIYA District- Begusarai

SUBHASH KHALIFA @ SUBHASH KUMAR Son of Vakil Khalifa @ Vakil
Yadav R/v- Mathurapur, Ward No. 1, Lakhminia, P.S.- Balia, District- Be-
gusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv
		Mr. Pushpendra Kumar Singh
For the Opposite Party/s:		Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-07-2023 Heard the parties.

The petitioner apprehends his arrest in connection with Baliya P.S. Case No.340 of 2022, registered for the offence punishable under Sections 346, 370, 370(A), 371, 372, 373, 376, 120(B) of the Indian Penal Code, Sections 3, 5, 6, 7, 8 of Immoral Traffic Act, Section 4, 5, 12, 17 of the POCSO and Sections 75, 79 of the Juvenile Justice Act.

The allegation against the petitioner is that he along with other co-accused persons brought minor girls for the purpose of prostitution.

It is submitted by learned senior counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner is not indulged in the activities of immoral traffic but due to annoyance of the local police, the petitioner has been dragged in the present case. He submits that the victim has not supported the prosecution case in her statement recorded under Section 164 of Cr.PC. He further submits that, as per the medical officer the age of the victim is about 19 to 20 years. Petitioner has two criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as well as the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law.

shikha/-

(Anjani Kumar Sharan, J)

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