

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11954 of 2023

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

1. Md. Gaphur S/O Md. Alijan @ Gango Khalifa @ Gangu Khalifa Resident Of Village- Bhatraha, P.S.- Saharsa, District- Saharsa.
2. Sakina Khatoon @ Sakila Khatoon W/O Md. Alijan @ Gango Khalifa @ Gunga Khalifa Resident Of Village- Bhatraha, P.S.- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in connection with Ballia P.S. Case No. 340 of 2022 registered under sections 346, 370, 370A, 371, 372, 373, 376 and 120B of the Indian Penal Code and Sections 3, 5, 6, 7 and 8 of Immoral Trafficking Act and Sections 4, 5, 12 and 17 of the POCSO Act and Sections 75 and 79 of J.J. Act.

As per prosecution case, the petitioners along other co-accused persons said to have involved in immoral trafficking of the minor girls.



Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted that they have not committed any offence as alleged in the F.I.R. It is also submitted that petitioners have no concern either with the alleged offence or with the other co-accused persons. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 14.12.2022. Similarly situated other co-accused persons have already been granted bail by this Court vide order dated 13.04.2023. in Cr. Misc. No. 14412 of 2023 and 07.04.2023 in Cr. Misc. No. 9084 of 2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Ballia P.S. Case No. 340 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties



of the like amount each to the satisfaction of the learned
Special Judge POCSO Act, Begusarai.

(Sunil Kumar Panwar, J)

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