

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19601 of 2023

Arising Out of PS. Case No.-516 Year-2022 Thana- SITAMARHI District- Sitamarhi

Afsana Khatoon (female), aged about 20 years, daughter of Seraj Ali, resident of village- Andabad Manher, Katihar, P.S- Katihar Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Sitamarhi PS Case No.516 of 2022 dated 04.08.2022, instituted for the offence punishable under Sections 363, 365, 366-A, 370, 370-A, 372, 373, 376, 120-B/34 of the Indian Penal Code, Sections 3, 4, 5 and 6 of the Immoral Traffic (Prevention) Act, Sections 4/6 of the Prevention of Children from Sexual Offences Act and Sections 75 and 79 of the Juvenile Justice Act.

3. The prosecution case, in short, is that on some tip off regarding illicit activities under the Immoral Traffic Act being carried out in the locality, a raid was conducted by the police. It is alleged that some minor girls in objectionable condition with other co-accused persons were recovered from



the house of co-accused Tarannum Barsi and Seema Thakur. There is also allegations that some articles have been recovered suggesting that activities under the Immoral Traffic (Prevention) Act were being carried out in the house of co-accused Tarannum Barsi and Seema Khatoon. As per the allegation, at the time of raid, the petitioner was trying to flee away but she was caught by the police on chase.

4. Learned counsel for the petitioner submits that according to the FIR, there is only allegation that upon seeing the police force petitioner and one Payal Khatoon started fleeing away and they were caught with the help of police force. It is further submitted that the informant has raised only suspicion against the petitioner that she is working as associates of Tarranum Barsi in the illegal trade of prostitution. Learned counsel further submitted that co-accused, Tarannum Barsi, and Seema Khatoon have been granted bail by co-ordinate Benches of this Court by order dated 24.01.2023 passed in Cr. Misc. No. 60343 of 2022 and order dated 07.02.2023 passed in 62512 of 2022 respectively. Learned counsel further submitted that several other accused persons have already been granted bail by different co-ordinate Benches of this Court whose details are mentioned in paragraph no. 9 of the bail application. Lastly, it is



submitted that the petitioner is in custody since 05.08.2022 having clean antecedents and charge-sheet has already been submitted in the case.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge VI-cum-Special Judge (POCSO) Act, Sitamarhi, in Sitamarhi P.S. Case No.516 of 2022.

(Khatim Reza, J)

J. Alam/-

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