

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29328 of 2023

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

1. MD. SAZID @ SAHZID Son of Md. Hadish Resident of village - Maniappa, P.S.- Matihani, District - Begusarai.
2. Md. Zahir @ Zahid Son of Md. Unis Resident of village - Maniappa, P.S.- Matihani, District - Begusarai.
3. Md. Gorelal Son of Md. Kuddus Resident of village - Maniappa, P.S.- Matihani, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-07-2023 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 a case registered for the offences punishable under Sections 346, 370, 370A, 371, 372, 373, 376, 120 B of the Indian Penal Code and Sections 3, 5, 6, 7 and 8 of the Immoral Traffic of Prevention Act and Section 4, 5, 12, 17 of the POCSO Act and Sections 75, 79 of the Juvenile Justice Act.

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



It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. They have falsely been implicated in the present case due to ulterior motive. No any victim girl or any objectionable material has been recovered from the possession or house of the petitioners. It is further submitted that victim girls have recovered and statement of one of the victims has been recorded u/s 164 of Cr.P.C. wherein she did not whisper any complicity of the petitioners. The victim further stated that on behest of one Soni, she came there and out of her own sweet will she involved in illegal flesh trade to earn money. Similarly situated several co-accused persons have already been granted bail out of which co-accused Prince Kumar was granted bail by this Court vide order dated 04.05.2023 passed in Cr. Misc. No. 16296 of 2023. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. The petitioners are languishing in judicial custody since 14.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the



petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Balia 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 Additional Sessions Judge-6th-cum-Special Judge, POCSO, Begusarai.

(Sunil Kumar Panwar, J)

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