

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52948 of 2023

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

MD. HABIB @ MD. MALLHU S/O ANWAR MIAN R/O MOHALLA-
BOHA TOLA, P.S- SITAMARHI, DISTT.- SITAMARHI.

... .. 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, Adv. Mr. Kumar Ranjeet, Adv.
For the Opposite Party/s :		Mr. Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 24-08-2023 1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Sitamarhi P.S. Case No. 516 of 2022 dated 04.08.2022 registered for the offences punishable u/ss 363, 365, 366A, 370, 370A, 372, 373, 376 and 120B read with section 34 of the Indian Penal Code, Sections 3, 45 and 6 of the Immoral Traffic Act and Section 4/ 6 of the POCSO Act, Section 75 and 79 of the Juvenile Justice Act.



4. As per the prosecution case, all the FIR named accused persons are alleged to have involved in immoral traffic of minor girls which was being run in the house of the co-accused Manzoor Khalifa. Two minor girls were recovered.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is not named in the FIR. The name of the petitioner surfaced on the basis of the disclosure of the co-accused Manzoor Khalifa. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 24.01.2023 passed in Cr. Misc. No. 60343 of 2022. The petitioner is accused in five other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 21.06.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Sitamarhi in connection with Sitamarhi P.S. Case
No. 516 of 2022 with the conditions:-

(i) The petitioner is directed to remain physically
present before the learned Court below on each and
every date, failing which on two consecutive dates
without reasonable cause, the bail bonds of the
petitioner are liable to be cancelled.

(ii) If the petitioner is found involved in similar
nature of offence in future, the prosecution will be
at liberty to move for the cancellation of the bail
bonds of the petitioner,

8. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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