

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54077 of 2023

Arising Out of PS. Case No.-281 Year-2019 Thana- SITAMARHI District- Sitamarhi

MANJOOR KHALIFA SON OF LATE SHANKAR KHALIFA R/V BOHA
TOLA, PS. SITAMARHI, DIST- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 363, 365, 370, 370A, 372, 373, 376, 120B/34 of the Indian Penal Code, Sections 3, 4, 5 and 6 of the Immoral Traffic Act, Sections 4 and 6 of the POCSO Act and Section 75 of the Juvenile Justice Act.

3. As per prosecution case, on being received information to the effect that flesh trade business is going on in Boha Tola and Khajurbani, Manoj Kumar, JVIT Delhi was sent to the spot as a customer for enquiry and thereafter, a raid was laid in the house of petitioner from where the accused persons and other ladies were arrested.

4. It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case due to some oblique and malafide purposes. He has committed no offence. According to F.I.R., at the time of so-called raid, the petitioner was neither present at the place of occurrence nor he was seen or arrested by the police even then the police dragged the name of this petitioner in the present case. He further submitted that there is great differences between the victims's statement recorded u/s 164 of the Cr.P.C. as also the so-called disclosure by the victims before the police as narrated by the informant. The petitioner has no role in commission of the offence as alleged in the F.I.R. On the basis of suspicion and due to his criminal antecedents, he has been implicated in the present case by the police. Further, it is submitted that the other co-accused have already been granted bail by a Co-ordinate Bench vide order dated 25.10.2019 passed in Cr. Misc. No. 61993 of 2019. He is languishing in judicial custody since 10.10.2022.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner



on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Sitamarhi P.S. Case No. 281 of 2019.

(Sunil Kumar Panwar, J)

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