

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55255 of 2023

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

SUBHASH KHALIFA @ SUBHASH KUMAR Son of Vakil Khalifa @ Vakil
Resident of village-Mathurapur, Ward No. 01, P.S.-Balua, District-Begusarai.
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with
Ballia P.S. Case No. 340 of 2022 registered for the offence
under Sections 346, 370, 370A, 371, 372, 373, 376, 120(B) of
the Indian Penal Code, Sections 3, 5, 6, 7, 8 of the Immoral
Traffic (Prevention) Act, Sections 4, 5, 12, 17 of the POCSO
Act and Sections 75 & 79 of the Juvenile Justice (Care and
Protection of Children) Act.

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

Learned counsel for the petitioner submits that the
petitioner is innocent and he has committed no offence. As per
F.I.R, the raid was allegedly made at the house of co-accused



Subhash Khalifa. The petitioner is not involved in confinement, inducement, exploitation, buying and selling of the victims of the case for the purposes of prostitution and illicit intercourse. During investigation, no substantive evidence has been collected against the petitioner to connect with the present case. Moreover, similarly situated co-accused namely, Ravina Khatoon has already been granted bail by this Court vide order dated 13.4.2023 passed in Cr. Misc. No. 14412 of 2023. The petitioner is languishing in custody since 20.7.2023.

Learned APP appearing for the State has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petition, this court is inclined to enlarge the petitioners on bail. The above named petitioner is directed to be released on bail in connection with Ballia P.S. Case No. 340 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO Act, Begusarai.

(Sunil Kumar Panwar, J)

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