

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74129 of 2023

Arising Out of PS. Case No.-1069 Year-2018 Thana- SITAMARHI District- Sitamarhi

Md. Habib @ Mallhu Khalifa @ Mallhu Khan Son Of Late Md. Anwar Mian
Resident Of Village - Rajopatti, Mlill Tola, P.S. - Sitamarhi, District
Sitamarhi, Presently Residing At Mohalla - Tinkothiya, Near Sabri Khankah,
Ward No.42, P. P.S. - Muzaffarpur, District - Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Adv Mr.Pushpendra Kumar Singh
For the Opposite Party/s	:	Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 363, 365, 370, 370A, 372, 373, 376, 120B/34 of the I.P.C., Sections 3, 4, 5, 6 of Immoral Traffic Act, Sections 4 & 6 of POCSO Act and Section 75 of J.J. Act.

3. As per prosecution case, the informant got information about flesh trade which was being run by bringing minor girls from different parts of the country, a raid was conducted in the alleged village. The petitioner is also said to have been indulged in business of flesh trade.



4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He is not named in the FIR. His name was transpired in this case during investigation. It is further submitted that no FIR was registered in respect of missing of the said girls by their family members, which shows that all the girls are willingly indulged in flesh trade. It is further submitted that all the victims were examined by the doctor and they were found to be major. Similarly situated other accused namely, Manjoor Khalifa has already been enlarged on bail by this Court vide order dated 1.9.2023 passed in Cr. Misc. No. 57939 of 2023. It is also submitted that petitioner is languishing in judicial custody since 27.09.2022.

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

6. 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 petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sitamarhi P.S. Case No.1069 of 2018 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each



to the satisfaction of the learned Additional District & Sessions
Judge VI-cum-Special Judge, POCSO, Sitamarhi.

(Sunil Kumar Panwar, J)

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