

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8910 of 2024

Arising Out of PS. Case No.-844 Year-2023 Thana- SITAMARHI District- Sitamarhi

Meena Khatoon, (Female), aged about 59 years, Wife of Rustam Khalifa, R/O-Boha Tola, P.S.-Sitamarhi, Distt.-Sitamarhi, Presently R/O- Salauna Bakhri, P.S.-Bakhri, Distt.-Begusarai.

... .. Petitioner

Versus

1. The State of Bihar.
2. Arun Kumar (S.I.) at present posted at Sitamarhi, Police Station-Sitamarhi, District-Sitamarhi.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. N.K. Agarwal, Sr. Advocate, Ms. Divya Bharti and Mr. Pushpendra Kumar, Advocates
For the O.P. No. 2	:	None.
For the State	:	Mr. Uday Chand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 24-06-2024 Heard learned senior counsel for the petitioner and learned A.P.P. for the State. However, learned counsel for the opposite party no. 2 is not present as he got transferred from Sitamarhi and the clerk posted there refused to report the same in wrong.

2. The petitioner seeks bail in connection with Sitamarhi P.S. Case No. 844 of 2023 dated 08.11.2023 registered for the offences punishable under Sections 365, 363, 366A, 370, 370A, 373, 376, 120B/34, 372 of the I.P.C., Sections 3, 4, 5, 6 of the Prevention of Immoral Trafficking Act, Sections 4 and 6 of the POCSO Act and 75 of the Juvenile Justice Act.



3. As per the prosecution case, the informant got information that the business of flesh trading is being run in red light area, Bohatola. Thereafter, a raiding party was constituted and the house of the co-accused Manjoor Khalifa was raided and from his house, one minor girl and two major girls were recovered. It is further alleged that one minor girl who belongs to Patna said that one Rahul Kumar who is the resident of Darbhanga and was working in Patna on the pretext of marriage took her to Sitamarhi and sold to the co-accused persons Raja Khalifa, Manjoor Khalifa, Ramjan Khalifa and Aanchal Devi, W/O Raja Khalifa for Rs. 9,00,000/- and thereafter they started doing business of flesh trading from her. Other two girls are daughters of the co-accused Manjoor Khalifa and they said that in the protection of their father, business of flesh trading is going on in their house and they are not on fault. It is further alleged that the informant also recovered one minor girl and two major girls from the house of the co-accused Raja Khalifa who is the son-in-law of the co-accused Manjoor Khalifa and on interrogation, she said that one Raju on the pretext of love marriage took her to Sitamarhi and sold to the co-accused Raja Khalifa who is the son-in-law of the co-accused Manjoor Khalifa and Meena Khatoon (petitioner) who is the sister of the



co-accused Manjoor Khalifa one year ago for Rs. 10,00,000/- thereafter they started doing business of flesh trading from her and she used to earn Rs. 250/- from per customer which was being kept by Meena Khatoon (petitioner). Other two major girls said that they are doing business of flesh trading in the protection of the co-accused Raja Khalifa and Manjoor Khalifa.

4. Learned senior counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that neither the petitioner was arrested from the spot nor she was seen at the place of occurrence. It is further submitted that from perusal of the F.I.R., it appears that there is no recovery of any victim from the possession of the petitioner rather all the victims were recovered from the house of the co-accused Manjoor Khalifa and his son-in-law Raja Khalifa. It is further submitted that out of six victims, two are the daughters of the co-accused Manjoor Khalifa, two are doing flesh trading as per their own volition and poverty and only two victims allegedly made allegation for their selling to the co-accused persons. The petitioner is not residing at Bohatola and occasionally she used to visit Bohatola on the occasion of ceremonial function since she is the sister of the co-accused Manjoor Khalifa and she has no role in the



activity of the co-accused Manjoor Khalifa. The petitioner has two criminal antecedents as stated in paragraph no. 3 of the bail petition. She is in custody in this case since 14.11.2023.

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

6. 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 Additional Sessions Judge-VI-cum-Special Judge (POCSO Act), Sitamarhi in connection with Sitamarhi P.S. Case No. 844 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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