

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23644 of 2024

Arising Out of PS. Case No.-1419 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Nazma Khatoon Wife of Abdul @ Md. Kaiyum Resident of Village- Harda,
P.S.- K. Hat (Maranga), Dist.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 27702 of 2024

Arising Out of PS. Case No.-1419 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Neha Khatoon D/o Late Aman Resident of Village- Araria, P.S.- Araria, Dist.-
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 27937 of 2024

Arising Out of PS. Case No.-1419 Year-2023 Thana- KHAJANCHI HAT District- Purnia

1. Parveen DAUGHTER OF HADISH RESIDENT OF VILLAGE- NEAR
SAHARSA RAILWAY STATION, PS- SAHARSA DIST- SAHARSA
2. RAVINA PARVEEN DAUGHTER OF SUBHAN MIR RESIDENT OF
VILLAGE- PURNEA, PS- PURNEA SADAR, DIST- PURNEA
3. MANISHA KUMARI DAUGHTER OF SHIV NARAYAN SAHNI
RESIDENT OF VILLAGE- BUS STAND PURNEA, PS- K.HATT, DIST-
PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 28277 of 2024

Arising Out of PS. Case No.-1419 Year-2023 Thana- KHAJANCHI HAT District- Purnia



- 1. Samima Khatoon DAUGHTER OF Late Imajuddin Ansari Resident of Pakur PS -Pakur District- Pakur Jharkhand
- 2. KAJAL DAUGHTER OF RAJU RESIDENT OF VILLAGE- SAHARSA, PS- SAHARSA, DIST- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 23644 of 2024)

For the Petitioner/s : Mr. Jitendra Kumar Giri

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

(In CRIMINAL MISCELLANEOUS No. 27702 of 2024)

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Anita Kumari

(In CRIMINAL MISCELLANEOUS No. 27937 of 2024)

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Murli Dhar

(In CRIMINAL MISCELLANEOUS No. 28277 of 2024)

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 23-08-2024 Heard the parties.

2. All the petitioners/ladies are in judicial custody in connection with K. Hat (Maranga) P.S. Case No. 1419 of 2023 for the offence punishable under sections 346, 367, 370, 370(A), 372, 373, 376, 120(B), 34 of I.P.C. and 4/6/12/17 POCSO Act & 3/4/5 ITP Act & 75/79 J.J. Act lodged on 28.12.2023 by the informant, Shyamnandan Yadav.

3. As per the prosecution story, the informant who is posted with the K. Hat (Maranga) Police Station in the District of Purnea, upon the direction of the Superintendent of Police, Purnea earlier sent policemen who posed themselves as the



customer in the house of Najma Khatoon, accepting them as customer, they were taken and then the signal was given which followed the raid. Though, some of the girls as also the men present there managed to escape, number of girls were present there along with the men. One of the girl, 15 years old 'X' informed the police that while she was returning from her maternal grand-mother's place to her home, three people, two women and a male person surrounded her, sat with her, chatted and lure her that a good job will be handed over to her. When she came to the house of Najma Khatoon, she was forced to make physical relationship and upon objection was threatened with dire consequences. Same was the story with a 13 years old girl 'Y'. Number of articles used for physical relationship were present in the rooms so raided. The girls whose statement is part of the F.I.R. have named this person to be one of them, who used to snatch the money which was handed over to them by the customers. The house of the present petitioner was also raided and the seizure list was prepared which followed the F.I.R.

4. Learned counsel for the petitioner submits that the police falsely implicated her, as they were having issues with the petitioner and in any case, she has suffered by being in custody since 28.12.2023 (para 17 of the petition) and further



undertakes to diligently appear in trial, the last submission is that she do not have criminal antecedent.

5. Mr. Pushpendra Kumar Singh represents the petitioners Parveen, Ravina Parveen and Manisha Kumari (in Cr. Misc. No. 27937 of 2024). According to them, they are students and under false belief given by Chhotu and the petitioner (Nazma Khatoon), they came into their clutches and suffered, the submission is that they would like to pursue their studies and have remained in custody since 28.12.2023 (para 16 of the petition) having no criminal antecedents.

6. In Cr. Misc. No. 28277 of 2024, Samima Khatoon and Kajal are the petitioners and their version is/are more or less the same. They are also in custody since 28.12.2023 (para 16 of the petition).

7. Learned APPs of all the cases opposes the prayer for bail and submit that Nazma Khatoon and all these girls were indulged in dealing the customer and thus vitiated the environment in that society, he as such opposes the prayer.

8. Though there is allegation against all the petitioners including Nazma Khatoon, the fact remains that all of them are ladies, are in custody since the raid was conducted, FIR lodged, some of the petitioners are very young inasmuch as one of the



petitioner is aged 19 years, they are students, Nazma Khatoon is also an aged lady, FIR is there, they will be appearing in trial and thus will be facing the music, this Court is inclined to extend him the privilege of bail with conditions.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-VI, cum Special Judge (POSCO), at Purnea, District-Purnea, in connection with K. Hat (Maranga P.S. Case No. 1419 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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