

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58245 of 2024

Arising Out of PS. Case No.-556 Year-2023 Thana- SITAMARHI District- Sitamarhi

Md. Khurshid Alam @ Khurshid Alam @ Khurshaid Alam @ Gope Son of
Late Baso Miyan R/o village - Bohatola (Islampur), P.S. Sitamarhi, District -
Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rashmi Kumari, P.S.I. Sitamarhi P.S., R/o Camp. Boha, Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 342, 323, 353, 366(A), 370(A), 370(5), 371, 372, 373, 376, 120B of the Indian Penal Code, Sections 3, 4, 5, 6, 7, 8, 9 of the Immoral Traffic Act, sections 75, 81, 84 of Juvenile Justice Act, 4, 6, 7, 8, 9, 10 of the POCSO Act.

3. Prosecution case in nutshell is that the informant being a police official received information that in the red light area, flesh trading is being done after bringing the minor girl from outside. It is further alleged that as per the plan, social



workers were sent as proposed customer for tracing the minor girl indulged in the trade. After verification, police raided the area and some accused persons were apprehended on spot. It is further alleged that currency notes and other incriminating articles have been recovered from their possession. The petitioner is also said to be indulged in the alleged offence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of suspicion. It is further submitted vide para08 of the petition that the victim alleged that the petitioner and his wife used to procure minor girl from outside of the state and used to throw them in flesh trading but the said victim is daughter of the petitioner and had not supported the prosecution case u/s 164 of the Cr.P.C. The victim no.4 was already released in favour of the petitioner as she disclosed her father's name is Khurshid Alam. Neither the petitioner was arrested on spot nor any material has come against him in this case. He is languishing in judicial custody since 14.6.2024. Moreover, other co-accused persons have been enlarged on bail by this Court vide order 10.1.2024 passed in Cr. Misc. No. 85671 of 2023.

5. Learned APP appearing for the state has opposed



the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sitamarhi P.S. Case No. 556 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-Cum Special Judge, Sitamarhi.

(Sunil Kumar Panwar, J)

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