

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73358 of 2024

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

Zarina Khatoon @ Sakina Khatoon Wife of Md. Khurshaid Alam @ Gope
R/O Vill.- Boha Tola, P.S.- Sitamarhi, Dist.- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rashmi Kumari, ASI Government Servent, P.S.- Sitamarhi Dist.- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kr. Singh, Adv.
		Ms. Divya Bharti, Adv.
For the Opposite Party/s	:	Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Sitamarhi P.S. Case No. 556 of 2023 for the offences punishable under Sections 341, 342, 323, 353, 366(A), 370(A), 370(5), 371, 372, 373, 376 and 120(B) of the I.P.C. read with Sections 3, 4, 5, 6, 7, 8 and 9 of the Prevention of Immoral Traffic Act and Sections 75, 81 and 84 of the Juvenile Justice Act and Sections 4, 6, 7, 8, 9 and 10 of the Protection of Children from Sexual Offences Act, lodged on 12.07.2023 by the informant, Rashmi Kumari.

3. As per the prosecution story, the informant, a police officer alleged that she got an information that in the garb of Bachpan Bachao Andolan, N.G.O., flesh trading is being done



with the minor girls, after which a raiding team was constituted and social workers were sent inside as the proposed customers. Later after verification, they informed, where after the place was raided and the accused taken into custody and lots of materials relating to flesh trading was recovered beside the currency notes. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that the petitioner is a lady, had no role to play in the matter and the police alleges that her daughters were recovered from the said place and on that basis, she has been implicated which followed her arrest on 01.08.2024 (para 18 of the petition). He further submits that the similarly situated persons have been extended the privilege of bail vide Annexure- 2.

5. Learned APP for the State opposes the prayer for bail informing that the petitioner has pushed her minor daughters in flesh trading.

6. Considering the aforesaid submissions as also the fact that though there is an allegation against the petitioner, she is a lady, in custody since 01.08.2024 and similarly situated persons have been extended the privilege of bail, this Court is inclined to extend her the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of



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. 556 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 her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court, failure to do so for two consecutive dates without plausible reason will entail cancellation of her 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 her bail bonds.

(Rajiv Roy, J.)

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