

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85671 of 2023

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

Rupa Khatoon W/o Sahebu Khan R/o vill - Bohatola, P.S. - Sitamarhi, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 85808 of 2023

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

Payal Khatoon W/O Bhola Miyan R/O Villae- Boha Tola, P.S- Sitamarhi, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 85671 of 2023)

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Ganesh Prasad Singh

(In CRIMINAL MISCELLANEOUS No. 85808 of 2023)

For the Petitioner/s : Mr.Pushpendra Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 342, 323, 353, 366(A), 370(A), 370(5), 371, 372, 373, 376, 120(B) of the Indian Penal Code, Section 3, 4, 5, 6, 7, 8, 9 of prevention of Immoral Traffic Act,



Section 75, 81, 84 of Juvenile Justice Act and Section 4, 6, 7, 8, 9, 10 of POCSO Act.

Prosecution case in nutshell is that informant being a police official received an 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 petitioners along with other co-accused persons were apprehended on spot. It is further alleged that currency notes and other incriminating articles have been recovered from the possession of petitioners and other co-accused persons. It is further alleged that recovered girls said that the prostitution is being done by petitioner namely, Rupa Khatoon.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. They have falsely been implicated in the present case. None of the so-called recovered victim girls of the case has stated anything against them. They have not indulged in the illegal business of flesh trading in any manner and merely on the basis of suspicion that their houses are situated in the said locality, police arrested them. Several co-accused persons have already



been granted bail by this Bench vide order dated 18.12.2023 passed in Cr. Misc. No. 76894 of 2023, Cr. Misc. No. 79578 of 2023, Cr. Misc. No. 80455 of 2023 and Cr. Misc. No. 81284 of 2023. Moreover, the petitioners are languishing in judicial custody for more than five months.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, petitioners being ladies as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Sitamarhi P.S. Case No. 556 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI-cum-Special Judge (POCSO Act), Sitamarhi.

(Sunil Kumar Panwar, J)

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