

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86247 of 2023

Arising Out of PS. Case No.-148 Year-2023 Thana- PUPRI District- Sitamarhi

Bechan Mukhiya S/O Jatha Mukhiya R/O Village- Sahpur, P.S- Pupri, Distt.-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dwij Raj, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 30-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Pupri
PS Case No.148 of 2023 dated 05-04-2023, instituted for the
offence punishable under Sections 363, 366(A) and 34 of the
Indian Penal Code and Section 6 of the Prevention of Children
from Sexual Offences Act.

3. The allegation against the petitioner and co accused
Shitli Devi is that they enticed away the informant's minor
daughter aged about 15 years for the purpose of flesh trade. It is
also alleged that earlier petitioner had also sold the mother of
the victim, who is still traceless.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is further submitted that informant and the petitioner are close relatives. It is next submitted that the victim and daughter of the petitioner, namely, Mamta Kumari both went to Darbhanga for harvesting *Makhana* and some miscreants teased both of them, which was seen by the police and both were sent to the shelter home and later on released by the police after the due process. It is further submitted that the victim was recovered from her home and she was tutored by the family members before her statement recorded under Section 164 Cr.P.C. It is further submitted that the incident had taken place on 26-03-2023 whereas, the FIR was lodged on 05-04-2023. Both the parties have compromised the case outside the Court. It is submitted that co-accused of this case, namely, Shitli Devi has been granted the privilege of anticipatory bail by this Court *vide* order dated 15-05-2024 passed in Cr. Misc. No. 29676 of 2024. Further submission is that the petitioner is in custody since 14-06-2023 having no criminal antecedents.

5. Learned APP for the State has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of



Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge -VI-cum-Special Judge, (POCSO Act), Sitamarhi, in Pupri PS Case No.148 of 2023.

7. The application stands allowed.

(Khatim Reza, J)

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