

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6316 of 2025

Arising Out of PS. Case No.-490 Year-2024 Thana- BARHARIA District- Siwan

Arshad Iqbal S/O Khurshid Alam @ Mohammad Khurshid Resident of
Village- Sadapur Safichhapra, P.S- Barharia, Dist.- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari At present posted as Sub Inspector of Police Barharia Police Station, Distt.- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the State : Mr. B. N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 19-03-2025 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 143 (I), 145, 98, 3 (5) of the BNS, 2023, sections 75, 79 of the Juvenile Justice Act, sections 3,4,5,6 of the Immoral Trafficking (Prevention) Act, sections 16, 17, 18 of the Bonded Labour System (Abolition) Act, 1976 and section 8 of the Protection of Children from Sexual Offences Act.

3. The case of the prosecution is that the house of the petitioner was raided and from his house six girls of tender age of about 16-17 years were recovered. The case was registered



under Immoral Trafficking (Prevention) Act and bonded Labour System Act.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. Petitioner is the employee of the Orchestra. It is further submitted that during the course of investigation, the recovered girls have given their statement under Section 183 of the BNS in which they have stated that they are working in the 'orchestra' with their own will. They were not brought on this profession forcibly. They were never forced to work in the 'orchestra'. Similarly situated co-accused has already been granted regular bail by this Court vide order dated 04.03.2025 passed in Cr. Miscellaneous No. 82858 of 2024. Moreover, the petitioner is languishing in judicial custody since 11.10.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barhariya P.S. Case No. 490 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned
District and Additional Sessions Judge-VI- cum Special Judge,
POCSO, Siwan.

(Ashok Kumar Pandey, J)

Ranjeet/-

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