

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11499 of 2025

Arising Out of PS. Case No.-59 Year-2024 Thana- MAHILA P.S. District- Purnia

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1. Randhir Kuamr @ Randhir Kumar S/o Ramesh Paswan Resident of Gulabbagh, Kabristan tola, PS- Sadar, District- Purnea
 2. Rani Devi W/o Bhushan Paswan R/o Gulabbag, Zero Mile, P.S.- Sadar, Distt.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shahnaz Khatoon D/o Tarik Anwar R/o -Dighal Bank, P.S- Dighal Bank ,Dist- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Fazle Karim, Adv

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 06-08-2025 Heard learned counsel appearing on behalf of the

petitioners and learned APP appearing on behalf of the State.

2. Both petitioners seeks bail in connection with

Mahila P.S. Case No. 59 of 2024 registered for the offences

under Sections 61(2), 64 and 3(5) of the Bharatiya Nyaya

Sanhita, Sections 3 and 4 of the Immoral Trafficking Act and

Section 6 of the POCSO Act.

3. Both petitioners are named in the F.I.R. and are

in custody since 27.11.2024.

4. Allegation against the petitioners is to push

informant into immoral trade/activity along with other named



co-accused persons. Informant/victim claimed her age to be about 18 years through FIR.

5. Learned counsel appearing on behalf of petitioners submitted that from the bare perusal of FIR, thrust of allegation to establish physical relation on false pretext of marriage is available against co-accused Niraj Kumar Paswan. It is also pointed out that allegation raised against this petitioner, only being distant relative of co-accused Niraj Kumar Paswan. It is further submitted that during investigation informant/victim refused to join the medical examination. It is submitted that while recording her statement under Section 183 of the B.N.S.S., she categorically stated her age as 19 years and, therefore, lodging present case under POCSO Act, prima-facie, does not appear convincing. While concluding the argument it is submitted that investigation has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid factual submission and by



taking note of fact as thrust of allegation is available against co-accused Niraj Kumar Paswan, whereas petitioners have been prima-facie implicated being distant relative of co-accused Niraj Kumar Paswan facing general and omnibus allegation, coupled with the fact as both petitioners remained in custody since 27.11.2024, accordingly both above named petitioners, are directed to be released on bail in connection with Mahila P.S. Case No. 59 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned District and Additional Seesions Judge-VI-cum Special Judge (POSCO), Purnea/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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