

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22528 of 2025

Arising Out of PS. Case No.-84 Year-2025 Thana- SITAMARHI District- Sitamarhi

Payal Khatoon Daughter of Sulendra Khalifa Resident of Village- Boha Tola,
Mirchaipath, P.S. and Dist- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rashmi Kumari, Sub-Inspector of Police -cum-Child Welfare Police Officer,
Mahila Ps, Sitamarhi

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 22673 of 2025

Arising Out of PS. Case No.-84 Year-2025 Thana- SITAMARHI District- Sitamarhi

Sabo Khatoon W/o Md. Sabbir @ Sabir @ Dilip R/o Mohalla- Mirchaipatti,
Boha Tola, P.S.- Sitamarhi, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rashmi Kumari, A.S.I-cum-Child Welfare Police Officer P.S.- Sitamarhi,
Dist- Sitamarhi, Mob. No.- 79013580702

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 22528 of 2025)

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. R.P.S. Singh, APP

(In CRIMINAL MISCELLANEOUS No. 22673 of 2025)

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. R.P.S. Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 23-07-2025 Both cases have been taken up and heard together as

they arise out of the same PS Case number and are disposed of

by this common order.

2. Heard learned counsel for the petitioners and



learned A.P.P. for the State

3. The petitioners seek bail in connection with Sitamarhi P.S. Case No. 84 of 2025, dated 29-01-2025, registered for offences punishable under Sections 87,137(2),64,144(1),145,146,61(2)(a) and 3(5) of the *Bhartiya Nyaya Sanhita*, Sections 3,4,5,6,7, 8, and 9 of the Immoral Trafficking Act, Sections 75,81 and 84 of the Juvenile Justice Act and Sections 4,6,7,8,9 and 10 of the POCSO Act.

4. The prosecution case, in short, is that on 28.01.2025 at about 05:30 P.M., the informant, along with other officials, conducted a raid at the residence of the accused persons, namely Sabo Khatoon, Payal Khatoon, and Priti Devi @ Pinky Devi. During the raid, two minor girls were recovered along with two mobile phones and other incriminating materials. Upon inquiry, the minor girls stated that they were being forced into immoral trafficking by the accused persons. Thereafter, seizure list was prepared, and the accused , persons were taken into custody.

5. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. As per the First Information Report (for short, 'FIR'), two victims were recovered from the house of one Sabo



Khatoon and the house of Prity Devi @ Pinky Devi. It is further submitted that the victim is none else but the daughter of Sabo Khatoon, which is apparent from the residential certificate issued by the competent authority *vide* Certificate Case No. BRCCO/2025/2261443 dated 04-02-2025, which is annexed as Annexure P/2 to the bail petition. It is also submitted that the victims were already released on 31.01.2025, though the case was instituted on 29.01.2025, just one day after the occurrence. It is next submitted that the two victims were released in favour of their parents, and one of the victims has been released in favour of her father, the husband of Sabo Khatoon, and the other victim has been released in favour of her brother-in-law, and both were residing in the town of Sitamarhi. The statement of the victims has been recorded under Section 183 of the BNSS, wherein, she has not supported the prosecution story and they were released on 31.01.2025. It is submitted that the petitioner has no role to play in the entire case.

6. So far as the petitioner, namely Payal Khatoon in Cr. Misc. No. 22528 of 2025 is concerned, it is submitted that there is no specific allegation levelled against her. It is further submitted that none of the victims were recovered from her house; rather, they were recovered from the houses of Sabo



Khatoon and Prity Devi @ Pinky Devi. It is next submitted that all the victims were majors.

7. So far as the petitioner, namely Sabo Khatoon in Cr. Misc. No. 22673 of 2025 is concerned, the only allegation against her is that the victim girl, July Khatoon, was recovered from her residence. However, it is submitted that the said victim is the own daughter of this petitioner. On the basis of the statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), the victim did not support the prosecution version and was accordingly released and handed over to the petitioner, Sabo Khatoon. It is further submitted that the petitioners in both the cases have only one criminal case pending against them and are in custody since 30.01.2025.

8. Learned A.P.P. has opposed the prayer for bail.

9. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners in both the cases be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge- IV-cum Exclusive Special Judge (Rape and POCSO) Sitamarhi, in connection with Sitamarhi PS Case No. 84 of 2025 .



10. The applications stand allowed.

(Khatim Reza, J)

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