

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36544 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- MAHILA P.S. District- Purnia

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1. Khetuniya Devi @ Khentuniya Devi @ Khatoon Parween Daughter of Md. Nashim Resident of Mohalla - Abdullanagar, Khushkibagh, P.S. - Sadar, District - Purnea
 2. Begam Khatoon wife of Late Biltu Resident of Mohalla - Abdullanagar, Khushkibagh, P.S. - Sadar, District - Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajay Kumar son of Anutha Ram village- Koralhiya Harinarayan, Ps- Mahindvara, Dist- Sitamarhi then Posted as Police Inspector-cum-SHO Sadar, Ps, Dist- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.
For the Opposite Party/s : Mrs. Usha Kumari 1, Spl.PP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-09-2025 Heard learned counsel appearing on behalf of the

petitioners and learned APP appearing on behalf of the State.

2. The petitioners seeks bail in connection with Mahila P.S. Case No. 07 of 2025 registered for the offences under Sections 127(6), 140(4), 143(e), 145, 64, 61, 352, 351(2) and 3/5 of the Bharatiya Nyaya Sanhita, Sections 3, 4, 5 and 6 of the ITP Act 1956, Sections 4 and 6 of the POCSO Act and Sections 3(i)(r)(s)(w)(i), (ii) and 3(2)(v) of the SC & ST (POA) Act.

3. The petitioners are named in the F.I.R. and are in custody since 01.02.2025.



4. The allegation against the petitioners is to involve in immoral activity and when upon information a raid was conducted in red light area of Khuskibagh Purnea, from where 11 minor victim said to be recovered.

5. Learned counsel appearing on behalf of the petitioners submitted that implication of petitioners with the present case is merely on the basis of suspicion as they were residents of nearby locality and were completely unaware about the activities, which were running over there. It is submitted by learned counsel that none of the victim in their statement recorded under Section 183 of the BNSS, stated anything incriminating against petitioners, which suggest prima-facie *qua* their non-involvement with the present crime in question. It is submitted that there is nothing on record or surfaced during the course of investigation, which may suggest that alleged activities are out of atrocities as defined within the meaning of SC/ST Act, 1989. While concluding the argument it is submitted that petitioners are of clean antecedent, and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned Spl.PP appearing on behalf of the State, while opposing the prayer for bail could not dispute aforesaid



factual submission.

7. In view of aforesaid factual submission and by taking note of statement of recovered victim as recorded under Section 183 of the BNSS, where prima-facie nothing incriminating appears against petitioners, coupled with the fact as petitioners remains in custody since 01.02.2025, accordingly above named petitioners, are directed to be released on bail in connection with Mahila P.S. Case No. 07 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned D.A.S.J.-VI-cum-Special Judge, (POCSO), 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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