

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58155 of 2024

Arising Out of PS. Case No.-111 Year-2024 Thana- CHHAURADANO District- East
Champaran

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SABIR ALI @ SAABIR ALI SON OF WOKIL MIYAN @ VAKIL MIYAN
RESIDENT OF VILLAGE - BHELWA, P.S. - CHAURADANO, DISTRICT -
EAST CHAMPARAN, MOTIHARI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SALIMAN KHATOON WIFE OF MOJAHIR ANSARI RESIDENT OF
VILLAGE - IMLIYA, P.S. - MAHUWAWA, DISTRICT - EAST
CHAMPARAN, MOTIHARI

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 21-01-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Chhauradano (Mahuawa) P.S. Case No. 111 of 2024 for the offence punishable under Sections 365, 366A, 34 of the Indian Penal Code and section 8 of POCSO Act lodged on 09.05.2024 by the informant, Saliman Khatoon.

3. As per the prosecution story, the informant alleged that besides her minor daughter, one other minor girl was taken away by Sabir Ali (the petitioner herein) for the purpose of selling them which led to the FIR.

4. Subsequently, the victim girls were recovered as the



story unfolded, the allegation against this petitioner is of selling these girls on the payment of Rs. 10,000/- to one co-accused, Rajeev Kumar who took the victim girls to Kolkata with the wife of the petitioner and tried to sell them to the brothel but as both the minor girls were crying, the concerned person refused to take them, the victim girls returned which led to finally their arrest and present judicial custody.

5. Though learned counsel for the petitioner submitted that the main role is of Rajeev Kumar who has been denied bail by this Court in Cr. Misc. No. 62607 of 2024. He has no role to play.

6. Learned counsel for the State submits that para-47 of the case diary shows his complicity by way of his confession.

7. Considering the aforesaid fact as also the statement of the victim girls which has been sent in a sealed cover where they have alleged that they were taken to Kolkata and as were crying, those sitting there chose to return them, the wife of the petitioner was present with the two minor girls, the role of the petitioner in this occurrence cannot be ruled out.

8. In that backdrop, for the present, this Court is not inclined to extend him privilege of bail. Accordingly, the petition for bail stands rejected.



9. The Superintendent of Police, East Champaran, Motihari should look into the matter of minor girls of poor family being taken out of the State and sold with the orchestra party/brothel centre and should plug the hole. He is also required to submit a report on the number of cases that have been lodged in the year 2024 in the different police stations under his jurisdiction which could show under which Police Station, the maximum number of such kind of cases have been lodged.

10. List under the heading ‘To be Mentioned’ after four weeks on 18.02.2025 to peruse the report of the Superintendent of Police, East Champaran, Motihari.

11. A copy of this order be communicated to the Superintendent of Police, East Champaran, Motihari for his perusal and necessary steps.

(Rajiv Roy, J)

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