

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71114 of 2024

Arising Out of PS. Case No.-775 Year-2023 Thana- PURNEA SADAR District- Purnia

Nisha Praween Daughter of Sahjada @ Md. Sahjada R/o Village- Abdulla
Nagar Khushki Bagh, P.S.- Sadar, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Kumar S/o Siyaram Choudhary R/o Village and P.S.- Belsand Ward No.6, District- Sitamarhi. at present posted as Officer in charge Sadar, District- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Md. Fazle Karim, Advocate Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

12 16-04-2025 Heard the learned Senior counsel, N.K. Agarwal for
the petitioner and the learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Purnea Sadar P.S. Case No. 775 of 2023, registered for the offences punishable under Sections 346, 365, 376 and 120(B) of the Indian Penal Code and Sections 3, 4, 5, 6, 7 and 8 of the Immoral Traffic Act and Sections 04, 06 and 12 of POCSO Act.

3. The prosecution story in brief is that the informant got secret information that Nisha Parween (petitioner), Bebi Khatoon, Nisha Parween, Rinki Khatoon, Komal Khatoon etc., are running a Brothel at Katihar More



Mohalla, took necessary action and raided the place. During the raid, they rescued a minor girl from the house of Nisha Parween (petitioner), who however, managed to flee from the place. The rescued girl disclosed her name and she has stated that she was being forced into the flesh trade and it was this petitioner and other accused persons had forced her into this flesh trade.

4. The Leaned Senior counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The age of the girls who have been rescued from the said place was more than 18 years and hence the allegation of being the minor is not correct. The learned senior counsel has further stated that no case under Section 376 is made out as the girls have found there, come her own free will for long and had never tried to run away or lodge any complaint. Lastly, it has been submitted that the petitioner is in custody since 07.09.2024.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that the petitioner is the kingpin of the flesh trade which was being carried out along with other co-accused persons and since a minor girl had been rescued from the said place the petitioner does not



deserve the liberty of bail.

6. Considering the aforesaid facts and circumstances that the petitioner has been directly involved in the flesh trading and also the fact that the 164 statement which was called for and from perusal of the same, it is evident that the victim girls have stated that they were forced into the trade at the behest of the petitioner and others. Considering the aforesaid 164 statement, I am not inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is rejected.

8. It has been reported by the learned Court below that the informant, the I.O. and the two victims are still left to be examined. Considering the same, it is desirable that the trial of the said case shall be culminated within eight weeks from today and should come to the logical conclusion.

9. This application is accordingly dismissed.

(Sourendra Pandey, J)

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