

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83960 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- KUNDWACHAINPUR District- East
Champaran

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Serajul Mian @ Sarajul Mian Son of Nathuni Mian Resident of Village-
Balapur, Ward No. 9, P.S.- Ghora Sahan, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III, Adv.
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 25-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kundwa Chainpur P.S. Case No. 101 of 2024 instituted for the
offences under Sections 137, 96, 98 of the B.N.S. and Section 5
of the I.T.P. Act.

3. As per prosecution case, the accusation against the
petitioner along with the associate/co-accused is of human
trafficking from India to Nepal by threatening and luring the
victim girl.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case with false and frivolous allegations. The petitioner



has not committed any offence as alleged in the F.I.R. He further submits that whatsoever statement of the victim has been recorded under Sections 180 and 183 of the B.N.S.S. is the tutored story as the same has been recorded at the instance of the police officials to falsely implicate the petitioner in the present case. Charge-sheet has been submitted in this case. The petitioner has no criminal antecedent and is languishing in judicial custody since 17.07.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. He further submits that the victim girl in her statement recorded under Sections 180 and 183 of the B.N.S.S. has fully supported the prosecution case. The doctor has assessed the age of the victim girl in between 16-18 years. The petitioner has also confessed his guilt in the confessional statement. The I.O. has also submitted charge-sheet against the petitioner under Sections 137/98/96 of the B.N.S., 2023 and Section 5 of the Immoral Traffic Prevention Act, 1956. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

6. Having heard learned counsel for the parties and considering the nature and gravity of the offence as also taking



into account the statement of the victim girl recorded under Section 183 of the B.N.S.S., this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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