

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17133 of 2026

Arising Out of PS. Case No.-111 Year-2023 Thana- KARANDAY District- Sheikhpura

Ashma Khatoon@ Asma Khatoon W/O Munna Miyan R/O Ward No. 18, Bettiah, P.S- Bettiah, Dist.- West Champaran (Bihar) Presently residing at Purani Bazar Shukla Road, Chaturbhuj Asthan, Maina Gali, P.S- Mithanpura, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X S/O Parmeshwar Mahto R/O Village- Dhari, P.S- Karendey, Distt.- Sheikhpura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushendra Kumar Singh
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-05-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Karendey P.S. Case No.111 of 2023 dated 20.10.2023, registered for the offences punishable under Section 365 of the Indian Penal Code read with Section 8 of POCSO Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a woman and is in custody since 17.01.2026 and the informant alleges that his minor daughter aged about 13 and ½ years on 13.10.2023 at 7 P.M. went to attend the call of nature but did not return, on search, the victim could not be traced, further on 14.10.2023 at



3 P.M. he received a call from mobile no.7482918965 and heard the voice of his daughter but someone snatched the mobile.

4. Learned counsel submits that petitioner has been falsely implicated in the instant case by the informant being mother of Azad. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the thrust of the allegation is against Azad and others and petitioner came to be implicated merely for the reason that the victim was recovered from her house.

5. Learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that after the victim was recovered from the house of petitioner, her statement was recorded under Section 164 Cr.P.C., wherein she supported the case of the prosecution and specifically stated that she was forced to enter into physical relationship with several persons, as such it is a case of child trafficking, on which, the learned counsel appearing on behalf of the petitioner reiterates and submits that petitioner being mother of Azad came to be implicated. It is also submitted that she was residing separately from Azad and victim was recovered from the house of Azad.

6. After hearing the learned counsel for the parties, the court is not inclined to release the petitioner on bail.



7. Accordingly, the regular bail application of the petitioner is rejected.

8. However, petitioner would be at liberty to renew her prayer for bail after framing of charge.

(Satyavrat Verma, J)

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