

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76701 of 2025

Arising Out of PS. Case No.-281 Year-2025 Thana- KISHANGANJ District- Kishanganj

Najida @ Najida Khatoon W/O Ashraf Alam Ansari Resident of Village/
Mohalla- Khagra, P.S- Kishanganj, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shanno Praveen D/O Md. Jafir R/O Mahuli, Ward No. 03, P.S- Guraru,
Distt.- Gaya, at present posted as Police Sub-Inspector in Kishanganj Police
Station, Distt.- Kishanganj.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 89149 of 2025

Arising Out of PS. Case No.-281 Year-2025 Thana- KISHANGANJ District- Kishanganj

Khushbu Kumari @ Khusi Son of Late Badan Kumar R/o Khagra
Machhmara, Ward no. 32, P.S - Kishanganj, District - Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shanno Praveen D/o Md. Jafir R/o Village - Mahuli Ward no. 03, P.S. -
Guraru, Distt. - Gaya, at present posted as Police - Sub Inspector Kishanganj
Police Station, P.O., P.S and Dist. - Kishanganj.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 76701 of 2025)

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

:

Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

(In CRIMINAL MISCELLANEOUS No. 89149 of 2025)

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 16-02-2026 As both these bail applications arise out of the same

police station case number, hence they are being heard together

and disposed of by this common order.

2. Heard learned Senior counsel for the petitioners



and learned APP for the State.

3. The petitioners seek bail in a case registered for the offence punishable under Sections 140(4), 143(3), 144(1), 144(2), 64(1), 111, 61(2) of B.N.S., Sections 4, 6 and 8 of the POCSO Act and Sections 3, 4, 5, 6 and 7 of the Immoral Trafficking (Prevention) Act, 1956.

4. As per the prosecution case, on 28.05.2025, a police team led by the DSP, Cyber, raided four houses and found 11 persons, including the petitioners and cash, mobile phones and other objectionable items were seized. It is alleged that the petitioners kept a victim for prostitution and was involved in running a brothel.

5. Learned Senior counsel appearing for the petitioners submits that Najida (petitioner in Cr. Misc. No.76701 of 2025), who is a lady has been implicated in the present case on the basis of the fact that she happens to be wife of one Md. Ashraf Alam Ansari @ Sonu from whose house victim, Priyanka Kumari was recovered. The allegation against this petitioner is that she was helping her husband in his nefarious activities. However, no such evidence has been collected during the course of investigation against the petitioner and as a matter of fact, the statement of the victim



under Section 183 of the B.N.S.S. only discloses that she had left her house on her own will for Delhi and she was then taken to the house of the Md. Ashraf Alam Ansari @ Sonu i.e., the husband of the petitioner, where the petitioner was also present, however, there is no allegation of subjecting her to any kind of flesh trade or immoral activities. The petitioner is in custody since 17.08.2025 with no criminal antecedent and charges have also been framed in the case on 12.02.2026. So far as the Khushbu Kumari (petitioner in Cr. Misc. No.89149 of 2025) is concerned, it has been submitted that there has been no recovery of any victim from the house of the petitioner rather some objectionable material was recovered and she has been made an accused in this case only because her house is also situated in the vicinity. The petitioner is in custody since 29.05.2025 with no criminal antecedent and charges have been framed against this petitioner also.

6. Learned APP for the State opposed the grant of bail on the ground that the matter relates to immoral trafficking.

7. Taking into consideration the facts and circumstances and considering the submission that the statement of the victim under Section 183 of the B.N.S.S, does



not disclose that she was subjected to any immortal trafficking and so far as the petitioner, Khusbbu Kumari is concerned, no victim was recovered from her house, coupled with the fact that petitioners have been languishing in custody for some time and chages have already been framed, let the above named petitioners, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, (POCSO), Kishanganj/concerned Court below in connection with Kishanganj P.S. Case No. 281 of 2025 subject to condition that:-

(i) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

anand/-

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