

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51629 of 2016

Arising Out of PS.Case No. -857 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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Taramuni Devi, wife of Mahavir Sah, resident of Village- Sanjhauli, P.S. Sanjhauli, District- Rohtas at Sasaram, at present- Mohalla- Bhartiganj, P.S.- Sasaram (Town), District- Rohtas at Sasaram.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.N.P. Sinha, Sr. Advocate
Mr. Rohit Kumar, Advocate
Ms. Rashmi Bharti, Advocate
For the Opposite Party/s : Mr. Ataur Rahman, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 29.07.2016 in connection with Sasaram (T) P.S. Case No. 857 of 2016 registered for the offence punishable under Sections 317 and 369/34 of the Indian Penal Code, Section 23 of the Juvenile Justice Act and Section 2(2) of Human Trafficking Act.

The prosecution case, as lodged by the police on the statement of one Priya Pandey, is that she had bought a five month old boy for Rs. three lacs from his mother, Sunita Devi and the petitioner acted as mediator. Mother of the boy, Manish Kumar



retracted and wanted to take her son back, as such, police instituted a case under the aforesaid sections against the petitioner, co-accused, Sunita Devi and Priya Pandey.

It has been submitted by the learned counsel for the petitioner that he is innocent and has not committed any offence as alleged under Sections 317 and 369/34 of the Indian Penal Code nor under Section 23 of the Juvenile Justice Act. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances of the case, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (T) P.S. Case No. 857 of 2016.

(Nilu Agrawal, J.)

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