

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51968 of 2016

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

1. Priya Pandey D/o Rabindra Pandey, R/o Biklang colony, Nandgram, P.S. & District- Gaziabad (U.P.)

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

Appearance :

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

Mr Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Kumar Virendra Narayan, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-12-216 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, 23 of Juvenile Justice Act and Section 2 (2) of Human Trafficking Act.

The prosecution case, as lodged by the police on the statement of the petitioner, Priya Pandey is that she had bought a five month old boy for Rs. three lacs from his mother, Sunita Devi and Taramuni Devi acted as mediator. Mother of the boy, retracted and wanted to take her son back, as such, police instituted a case under the aforesaid Sections against the co-accused, Sunita Devi, Taramani Devi and Priya Pandey on the complaint of Priya Pandey, the petitioner.



It has been submitted by the learned counsel for the petitioner that she is innocent and has not committed any offence as alleged 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. It has further been submitted that one of the co-accused has since been granted the privilege of bail by a Co-ordinate Bench in Cr. Misc. No. 51629 of 2016 dated 13.12.2016.

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 asaram (T) P.S.Case No. 857 of 2016.

(Nilu Agrawal, J)

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