

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23794 of 2016

Arising Out of PS.Case No. -20 Year- 2016 Thana -MAHILA P.S. District- MUZAFFARPUR

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Dipasha @ Dipasha Devi daughter of Late Ram Balak Singh resident of Village- Besides Musahari Block, Police Station Mushahari, District- Muzaffarpur at present Sukhia Road, Hafizi Chak, Chaturbhuj Asthan Police Station Town, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar

For the Opposite Party/s : Mr. Md.Sufiyan (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 31-05-2016 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Mahila P.S. Case No.20 of 2016, registered for the offences punishable under Sections 376, 372 and 373 of the Indian Penal Code and under Section 3, 4, 5 and 6 of the Immoral Trafficking Act.

On receiving confidential information that a tempo driver has gone to sell a girl, a raid was conducted in the house of the petitioner and from where the girl was recovered by the Members of the Mahila Vikash Kendra.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent, save and except, the present one. He further submits that it has come during

investigation that earlier the girl was sold by his brother to other persons and she did not go for medical examination and so much so her brother had threatened her uncle for dire consequences, if the victim would be kept, which has come during the statement of the victim recorded under Section 164 of the Cr.P.C.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10, 000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Muzaffarpur, in connection with Mahila P.S. Case No.20 of 2016 subject to the conditions that:-

(i) one of the bailors will be a close relative of the petitioner;

(ii) if the petitioner is found involved in similar type of case in future, the prosecution will be at liberty to make prayer for cancellation of his bail and the Court below will pass necessary order, including cancellation of bail and;

(iii) that the petitioner would participate in the court proceeding and in the event of being absent on two consecutive dates without reasonable explanation, the court below will be at liberty to cancel the bail bonds of the petitioner.

(Shivaji Pandey, J)

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