

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36065 of 2017

Arising Out of PS.Case No. -44 Year- 2016 Thana -MAHILA P.S. District- SEKHPURA

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1. Sarita Devi Wife of Jitendra Mahto Resident of Village-Bhadausi, P.S.-
Korma, District-Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bharat Lal

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending her arrest in a case registered under Sections 376,372,506, 34 of the Indian Penal Code.

The main allegation is against co-accused Jitendra Mahto to have forcibly sexually exploited the informant, who is a minor girl. The allegation against the petitioner, who is the wife of Jitendra Mahto, is that she was helping her husband in his act and both the husband and the wife sold the victim for prostitution.

Submission of the learned counsel for the petitioner is that after investigation of the case the petitioner was not sent up for trial. However, learned Magistrate on protest petition has taken cognizance though there is no material in the case diary nor the



petitioner has got any criminal antecedent.

Considering the aforesaid facts, let the above named petitioner, in the event of her arrest/surrender in the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-cum- Special Judge, Sheikhpura in Sheikhpura (Mahila) P.S.Case No. 44 of 2016 ,subject to the conditions as laid down u/s 438(2) Cr.P.C. as well as condition that the petitioner shall fully cooperate with the investigation/ trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Kumar, J)

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