

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32392 of 2018

Arising Out of PS.Case No. -22 Year- 2018 Thana -MAHILA PS District- DARBHANGA

Shanti Devi Wife of Late Ramlal Kapar Resident of Village - Bhore
Shahpur, P.S. - Khanpur, District - Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.31020 of 2018

Arising Out of PS.Case No. -22 Year- 2018 Thana -MAHILA PS District- DARBHANGA

- 1. Sabita Devi W/o Sohan Singh
- 2. Sohan Singh S/o Ganesh Prasad Singh@ Thakur Ganesh Chandra Singh
Both Resident of Village- Dilawarpur, P.S. Bahadurpur, District-
Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.32392 of 2018)

For the Petitioner/s : Mr. Ajay Kr. Thakur, Adv.
Mr. Nilesh Kumar, Adv.
Mr. Shashank Shekhar

For the State : Mr. Awadhesh Kumar Singh, APP

(In Cr.Misc. No.31020 of 2018)

For the Petitioner/s : Mr. Ajay Kr. Thakur, Adv.
Mr. Nilesh Kumar, Adv.
Mr. Shashank Shekhar

For the State : Mr. Sunil Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER



4 11-09-2018

Origin of both the bail petitions happen to be out of Darbhanga Mahila P.S. Case No.22/2018 on account thereof, have been heard together and are being disposed of by a common order.

At an earlier occasion there was direction for joint hearing of these bail petitions along with Cr. Misc. No.28079/2018 as well as Cr. Misc. No.31100/2018. However, at later stage Cr. Misc. No.28079/2018 as well as Cr. Misc. No.31100/2018 got disposed of vide order dated 08.08.2018.

From the narration of the FIR, it is apparent that there happens to be racket of human trafficking which exposed after arrest of Mamta Devi as well as Sabita Devi from Mansarovar hotel along with a minor aged about ten years (name is not being disclosed) and further, on their pointing out several locations were also raided where flesh trading was going on and the coupled engaged therein were arrested red-handed.

Learned counsel for the petitioners has submitted that whole case is based upon illusion. Without taking sincere effort at the end of the police in properly investigating the case, just after recording further statement of the informant as well as members of the raiding party as well as minor submitted charge sheet. Certainly, till the time of arrest alleged victim had not been confronted with the aforesaid situation nor, from her statement as



is evident allegation has also been attributed with regard to thrusting of her two other sisters in the flesh trading at the end of the Shanti Devi, her grandmother, tested by way of locating them as well as making effort to record their statement. So, the allegation whatever been levelled against the petitioner Shanti Devi did not subsist. In likewise manner, nothing adverse has been collected against the petitioners Sabita Devi as well as Sohan Singh.

On the other hand, the learned Additional Public Prosecutor opposed the prayer and submitted that the case of these petitioners stood on similar footing than that of Sabita Devi as well as Mamta Devi whose prayer for bail is found rejected since before by a coordinate bench. So, petitioners do not deserve bail.

Gone to the case diary. From perusal of the same, it is evident that there happens to be no allegation against the petitioner Sohan Singh, one of the petitioner of Cr. Misc. No.31020/2018 with regard to the occurrence as alleged and consequent thereupon, petitioner Sohan Singh is directed to 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 learned First Addl. Sessions Judge-cum-Special Judge(POCSO Act), Darbhanga in connection with Darbhanga Mahila P.S. Case No.22/2018.



So far petitioner no.1 of Cr. Misc. No.31020/2018
Sabita Devi and Shanti Devi (Cr. Misc. No.32392/2018) are
concerned their prayer for bail is hereby rejected.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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