

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31100 of 2018

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

Mamta Devi w/o Shatrughna Chaudhary @ Shatrughan Kumar Chaudhary
Residence of Mohalla - Professor Colony in the house of Shailendra
Chaudhary (Chacha) as Renter, P.S. Town, Distt. Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

With

Criminal Miscellaneous No.28079 of 2018

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

Sangita Devi W/o Bimal Kumar Paswan, R/o Vill.- Anandpur, P.S.- Pator,
District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.31100 of 2018)

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

(In Cr.Misc. No.28079 of 2018)

For the Petitioner/s : Mr. Ashok Kumar Prasad

For the Opposite Party/s : Mr. Ram Anurag Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

8 08-08-2018 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners seek bail in a case registered for the

offence punishable under Sections 401, 372 and 373/34 of the

Indian Penal Code, Sections 3, 4 and 5 of the Immoral Traffic (P)



Act, Sections 8 and 10 of the POCSO Act and Sections 30(a) and 37(c) of the Bihar Excise Act, 2016.

Petitioners are said to be engaged in the illegal trade of women trafficking as well as prostitution and they were apprehended with a minor girl namely Radha Kumari aged about 10 years at Mansarowar Hotel, Darbhanga who was provided to Sangita Devi by her grand-mother namely Shanti Devi for prostitution and Mamta Devi had struck deal to sell her out in Rs. 1 lakh.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They have no concern with the aforesaid occurrence. They are maid and they were apprehended by the police on the way to their working place without any rhyme and reason and were falsely implicated in the case. They have been languishing in custody since 23.03.2018.

On the other hand, learned APP opposing the bail petition submitted that petitioners are human trafficker and are also indulged in illegal flesh trade and were apprehended with a minor girl aged about 10 years who was provided to the petitioner Sangita Devi by her grand-mother Shanti Devi for prostitution and Mamta Devi had struck deal to sell her out in Rs. 1 lakh. Victim Radha Kumari in her statement recorded under Section 161



Cr.P.C. has narrated the aforesaid aspect of the case. She has also stated that earlier her two sisters were also dragged in the flesh trade by them. Hence, the petitioners do not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Prayer for bail of the petitioners is rejected.

However, learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within nine months from the date of receipt/production of a copy of this order and S.P., Darbhanga is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be communicated to S.P., Darbhanga by fax for needful.

(Prakash Chandra Jaiswal, J)

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