

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9800 of 2019

Arising Out of PS. Case No.-793 Year-2018 Thana- KADAMKUAN District- Patna

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1. KHUSBOO DEVI @ SANGITA, Wife of Lakshman Ray @ Kaulej Ray, Daughter of Chulahi Das. Resident of Dhodaba, Police Station- Tetariya, District- Motihari at present Khemnichak, P.S.- Ram Krishna Nagar, District- Patna.
 2. Pooja Devi, Wife of Ramesh Rai, Daughter of Chulahi Das Resident of Dhodaba, Police Station- Tetariya, District- Motihari at present Khemnichak, P.S.- Ram Krishna Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kameshwar Singh, Adv.

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are languishing in custody since 30.12.2018 in a case registered for the offences punishable under Sections 414, 413/34 of the Indian Penal Code, Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and Sections 3(2), 5(d), 6, 9 of the Immoral Traffic (Prevention) Act, 1956.

The prosecution case got initiated on the self statement of Inspector Nishi Kant Nishi, SHO, Kadamkuan P.S. recorded on 30.12.2018 at 05.05. P.M. to the effect that on 30.12.2018, at 1.00 P.M., a secret information was received



that in the house of Ashok Kumar Khandeliya, the stolen articles have been kept, subsequently the raid was laid, when two persons namely Amit Kumar and Manoj Kumar were apprehended found in objectionable position with three women namely Khushbu Devi (petitioner no.1), Sannu Devi and Pushpa Devi. It is further alleged that Pushpa Devi disclosed that the petitioners used to bring customers for the purpose of flesh trade. Subsequently, recovery of stolen articles was made from the apprehended co-accused Amit Kumar and Manoj Kumar.

It is submitted by learned counsel for the petitioners that only on the basis of suspicion, the petitioners have been framed in the present case and whatever the recovery of stolen articles have been made, it is from the possession of co-accused Amit Kumar and Manoj Kumar, who have been granted bail by different Co-ordinate benches of this Court vide orders dated 08.02.2019 and 14.02.2019 passed in Criminal Miscellaneous No.7495 of 2019 and Criminal Miscellaneous No. 8623 of 2019 respectively. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP for the State submits that the



petitioners are named in the FIR with specific accusation that they used to bring customers for facilitating the flesh trade.

Considering the fact that the thrust of accusation is against co-accused Amit Kumar and Manoj Kumar, who have been granted bail, petitioners being ladies, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioner 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 Special Judge, Patna in connection with Special Case No.12364 of 2018 arising out of Kadam Kuan P.S. Case No. 793 of 2018.

(Dinesh Kumar Singh, J)

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