

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10871 of 2019**

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

PUSHPA DEVI, (Female) aged about 22 years, Wife of Shivam Prasad, R/o village- Ramdharma, P.S- Ramdharma, District- East Champaran. At present residing at Pankaj Chowk, Raxaul, Police Station, Raxaul, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manish Kumar No2, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla (APP)

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

2      05-03-2019                      Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Special Case No. 12364 of 2018, arising out of Kadamkuan P.S. Case No. 793 of 2018 registered for the offences punishable under Sections 414, 413 and 34 of the Indian Penal Code , Section 3(2), 5(D), 6 and 9 of the Immoral Trafficking Act and Section 30 (a) of Bihar Prohibition and Excise Act, 2018.

It is alleged in the written report that police got information about keeping of theft idol and also commission of immoral act in the house of Ashok Kumar Khandelia. The police raided the aforesaid house and apprehended the petitioner and



three women. It is further alleged that one mobile and cash of rupees four thousand has been recovered from possession of the co-accused Amit Kumar. Petitioner told that Kusum and Aannu used to bring customers for the purpose of illegal trade.

It has been submitted on behalf of the petitioner that she is innocent and has committed no offence. She has been falsely implicated in this case. Nothing incriminating articles has been recovered from the possession of the petitioner. Similarly placed co-accused has been granted bail by co-ordinate bench of this court vide order dated 08.02.2019 passed in Cr. Misc. No. 7495 of 2019. Petitioner in in custody since 13.12.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-Excise, Patna, in connection with Special Case No. 12364 of 2018, arising out of Kadamkuan P.S. Case No. 793 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and her absence on two consecutive dates without



sufficient reasons, her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(S. Kumar, J)**

Rajiv/-

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