

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28332 of 2019**

Arising Out of PS. Case No.-1110 Year-2018 Thana- BETTIAH CITY
District- West Champaran

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PRAVEEN BEGUM Wife of Late Md. Alam @ Late Md. Alim Resident of
Village - Najni Chowk, Ganj No.2, Bettiah, P.S.- Bettiah (Town), Distt.- West
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Akhileshwar Kumar Shrivastva, Adv.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 372, 373, 344, 345, 347, 376/34 of the Indian Penal Code and Sections 3, 4, 5, 6 and 9 of the Immoral Traffic (Prevention) Act registered in connection with Bettiah (Town) P.S. Case No. 1110 of 2018.

3. It is submitted that the petitioner has been falsely implicated and as a matter of fact the informant is the tenant of the petitioner. An affidavit had been sworn by the informant on 28.11.2018 that she would regularly paid the rent to the petitioner (Annexure-2). The instant F.I.R. has been instituted owing to dispute over non payment of rent by the informant. It would appear from the order of the learned Sessions Judge that the statement of the informant was recorded under Section 164 Cr. P.C. in which she has completely changed her statement and the accusation under the Immoral Traffic Act are not made out.



The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah (Town) P.S. Case No. 1110 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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