

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50439 of 2019

Arising Out of PS. Case No.-18 Year-2017 Thana- NTPC District- Bhagalpur

NEELAM DEVI, aged about 54 years (Female) W/o Awdhesh Das @
Awadhesh Das Resident of Village - Alampur, P.S.- NTPC, Dist.- Bhagalpur.
... .. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 14-08-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in S.T. No. 693/2018 (G.R.
No. 1425/17) arising out of Kahalgaon Sub-Division N.T.P.C.
P.S. Case No. 18/2017, instituted for offence under Section 363
later on added 366A, 376, 372, 373 of the I.P.C.

Learned counsel for the petitioner submitted that bail
of the petitioner was earlier rejected vide order dated 01.11.2018
passed in Cr. Misc. No. 49790/2018. The petitioner is in
custody since 15.05.2018. She is a lady and has no criminal
antecedent. She is not named in the F.I.R. Her name has come
in statement of victim girl recorded u/s 164 Cr.P.C. There is no
allegation of specific overt act against her.

The statement of victim girl under Section 164 Cr. P.C
(Annexure-3) has been recorded wherein she has disclosed that



petitioner has brought her to Sultanganj. Neelam Devi met with Chameli Devi in Sultanganj. Neelam Devi returned to her house. Chameli Devi sold her to Sattan Rai. Sattan Rai did illegal act with her. He kept her confined for more than one year.

As such no specific allegation of overt act has been alleged against the petitioner. Petitioner is in custody since 15.05.2018. Sattan Rai & Chameli Devi have already been granted bail by this Court vide order dated 13.03.2019 and 23.04.2019 passed in Cr. Misc. No. 662 of 2019 and Cr. Misc. No. 25190 of 2019 respectively.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 the Court of learned Additional District & Sessions Judge-Ist-Cum-Special Judge POCSO, Bhagalpur in connection with S.T. No. 693/18 (G.R. No. 1425/17) arising out of Kahalgaon Sub-Division N.T.P.C. P.S. Case No. 18/2017 corresponding to G.R. 1425/17, subject to the following conditions:

(i) Both the bailors shall be the close relatives of the petitioner.



(ii) The petitioner will remain present on each and every date of trial.

(iii) His absence on two consecutive date (s) without any reasonable cause will make his bail bond liable to be cancelled and (iii) The petitioner will not intimidate the witnesses in any way and will not hamper the trial.

(Sanjay Priya, J)

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