

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 82551 of 2019**

Arising Out of PS. Case No.-44 Year-2019 Thana- MAHILA P.S. District- Kishanganj

Sagira Begum aged about 42 years (F) wife of Musfique Alam @ Musafik
Resident of Village-Shameshwar Hat, Police Station-Bahadurganj, District-
Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 12-12-2019 At the outset, learned counsel for the petitioner requests for making correction in paragraph – 13 of the bail application. He submits that date of custody of petitioner has wrongly been mentioned.

Permission granted. It may be done in course of the day.

The petitioner seeks bail in Kishanganj (Mahila) P.S. Case No. 44 of 2019 registered for the offence under Sections 341, 342, 370, 376, 120B of the Indian Penal Code, Sections 3, 4, 5, 6, 7 of Immoral Trafficking Act and Section 4 of POCSO Act, 2012.

It is submitted on behalf of petitioner that false allegation has been levelled against petitioner by the informant due to enmity. Petitioner is a lady and has committed no



offence. By way of filing supplementary affidavit, learned counsel for the petitioner has brought on record statement of the four victim girl recorded under Section 164 of the Cr.P.C., and he submits that not a single victim has whispered even a single word against the petitioner in their statement. The petitioner, being lady, is in custody since 19-10-2019, having no criminal antecedent.

In view of perusal of statement of the victim girls recorded under Section 164 of the Cr.P.C., it appears that petitioner is not alleged to be involved in the said occurrence, as stated in the F.I.R. and as such, petitioner, who is lady and in custody, may be extended the privilege of bail.

Accordingly, let the above named petitioner be enlarged 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 Addl. District & Sessions Judge - 1st cum Special Judge, Kishanganj in connection with Kishanganj (Mahila) P.S. Case No. 44 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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 the Court and on her absence on two consecutive dates without sufficient reason, her bail-bond shall be cancelled by the Court below.



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

(Prabhat Kumar Singh, J.)

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