

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16001 of 2020

Arising Out of PS. Case No.-1036 Year-2019 Thana- PATRAKARNAGAR District- Patna

Dharmshila Devi, W/o Murari Parshad R/o village- Danara, P.S.- Bikram,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shekhar Kumar Singh

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-06-2020 The matter has been taken up through virtual court proceeding.

Heard learned counsels for the petitioner and State.

The petitioner, being a lady, who is languishing in custody since 09.12.2019, has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 4, 5 and 6 of the Immoral Traffic (Prevention) Act, 1986.

The prosecution case, as per the written report of S.I., Ajhar Hussain, submitted to the S.H.O., Patrakarnagar Police Station is to the effect that on 09.12.2019 at 10 A.M., during patrolling, the informant received an information that in the house bearing MIG-35, immoral trafficking is going on, consequently, raid was laid and one boy and one girl were found



in a room who disclosed their name as Payal Das and Rajesh Gupta and from another room, on search being made, some contraceptive tablets and mobile phones were recovered. The apprehended Payal Das stated before the police that co-accused Rani Devi and this petitioner have brought her from Kolkata to the place of seizure.

It is submitted by learned counsel for the petitioner that the victim, in her statement, recorded under Section 164 Cr. P.C., has not named the petitioner rather she has stated that she was being brought from Kolkata by co-accused Rajesh Gupta for providing employment. Moreover, the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the State submits that during investigation, it was transpired that the petitioner used to facilitate the immoral trafficking.

Considering the fact that thrust of accusation is against co-accused persons, investigation has already been concluded and the petitioner is not having any criminal antecedent, let the petitioner above named be released on bail for the present provisionally for a period of three months on



furnishing one surety to the satisfaction of the learned J.M., 1st Class, Patna in connection with Patrakar Nagar P.S. Case No. 1036 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned J.M., 1st Class, Patna in connection with Patrakar Nagar P.S. Case No. 1036 of 2019.

The learned Court below will be at liberty to extend the further period of provisional bail if the lockdown is not over in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

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