

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17133 of 2021**

Arising Out of PS. Case No.-71 Year-2016 Thana- NATHNAGAR District- Bhagalpur

POOJA @ NIVA @ POOJA KUMARI @ NIVA KUMARI Daughter of
Naresh Sah Resident of Village- Rahamatpur (Asarganj), P.S.- Asarganj,
District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Adv

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 03-08-2021 Let the defect (s) be removed within four weeks

after start of the physical Court.

Heard the parties in virtual Court.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 363,368,376,370(A) of
IPC and Sections 4,5,6 of the Immoral Traffic (Prevention)
Act.

According to FIR, the informant, a married girl,
was thrown into flesh trade by the petitioner. Petitioner is in
custody since 27.02.2016. Petitioner has got no criminal
antecedent. She is a female.

Learned counsel for the petitioner submits that in



the past prayer for bail was refused thrice by different Benches of this Hon'ble Court with direction to the learned Trial Judge to conclude the trial expeditiously. The trial is still pending for the reason that when the matter was at the stage of final argument, after conclusion of the evidence, the learned Trial Judge was of the opinion that since the victim was a minor, the matter should have been tried by a POCSO Court. The victim, in the FIR, itself admitted that she is aged about 18 years and she was a married girl.

Considering entire facts especially the period already undergone by the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Nathnagar Police Station Case No.71 of 2016 with following conditions:

(a) Both the bailors shall be resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at



liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country
without permission of the trial Court.

(Birendra Kumar, J)

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