

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17861 of 2021**

Arising Out of PS. Case No.-536 Year-2020 Thana- BEGUSARAI TOWN District- Begusarai

RANI PRAVEEN @ RANI KUMARI W/O MD. SARHAN KHAN MAIN
ROAD, SARAI MOHALLA, WARD NO. 32, P.S. NAGER, DISTRICT-
BEGUSARAI

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Tarkeshwar Prasad Verma, Advocate Mr. Ashish Kumar, Advocate
For the Opposite Party/s :	Ms Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 24-09-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms. Pushpa Sinha, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with POCSO Case No. 35 of 2020 arising out of Nagar P.S. Case No. 536 of 2020 registered for the offences punishable under Sections 346, 367, 370, 370(A), 372, 373, 376, 120(B)/34 of the Indian Penal Code and Sections 4, 6, 12, 17 of the Protection of Children from Sexual Offences (POCSO) Act, Sections 3, 4, 5 and 6 of the Immoral Traffic Act and Section 30(a) of the Bihar Prohibition and Excise Act. She is in custody

since 07.10.2020 and has got no criminal antecedent.

As per the prosecution story when the police party conducted a raid in the house of one Anita Devi, the police arrested several persons who were customers and were found engaged in compromising position with the victim girl. Police arrested them together with the owner of the house namely Anita Devi and her daughter Rani Kumari (this petitioner). Learned counsel for the petitioner submits that the co-accused who were arrested as customers from the spot have been granted bail by different Benches of this Court in Cr. Misc. No. 15620 of 2021 and Cr. Misc. No. 8818 of 2021. It is pointed out that while hearing Cr. Misc. No. 8818 of 2021 this Court had noticed that in course of trial the victim girl had already been examined and in course of identification of the accused the victim girl did not identify the petitioner. Under those circumstances the petitioner Amarjeet Kumar was granted bail.

It is submitted that the present petitioner is a married daughter of Anita Kumari and unfortunately on the date the alleged raid was conducted, she was present in the house with her minor child but she had nothing to do with the alleged acts.

On the other hand Ms. Pushpa Sinha, learned A.P.P. for the State has opposed the prayer for regular bail of the

petitioner. It is submitted that the master mind and kingpin of the alleged immoral act is Anita Devi who is the mother of this petitioner and the victim girl has stated in her 164 Cr.P.C. statement that this petitioner was also taking money while forcing the victim to indulge in the prostitution.

Having regard to the facts and circumstances of the case, this Court is of the opinion that the case of this petitioner is standing on a different footing from that of the co-accused Amarjeet Kumar who has been granted bail by this Court. The fact that what has happened in course of trial so far and what is the statement of the victim girl in course of trial as against this petitioner has not been brought to the notice of this Court and learned counsel for the petitioner is unable to show anything in this regard on query made by this Court.

In the circumstances finding the specific allegation that the petitioner was also taking money and forcing the victim in the prostitution, this Court is not inclined to release the petitioner on bail.

Since the trial has already begun it is expected that the learned trial court shall proceed with the matter by keeping the same on shorter dates and conclude the trial as early as possible preferably within a period of six months from the date of

communication of this order.

If the trial still remains unconcluded for no reason attributable to the petitioner, the petitioner may renew her prayer for bail.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rishi/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading ‘Judicial Orders Passed During The Pandemic Period’.