

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18504 of 2021

Arising Out of PS. Case No.-228 Year-2020 Thana- BODHGAYA District- Gaya

Gitanjali Devi W/O Sanjeev Paswan Resident Of Village - Pachimi Nawan,
P.S.- Bodh Gaya, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Veer

For the Opposite Party/s : Ms. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-09-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court proceeding.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Bodh-Gaya P.S.
Case No. 228 of 2020 registered for the offence punishable under
Sections 370, 370 (A), 373/34 of the Indian Penal Code, Section 6 of
POCSO Act and Sections 3, 4, 5 of the Immoral Traffic Act.

As per the prosecution story, SHO, Bodh-Gaya on secret
informant that *Manoj Yadav* and his associates are assembled for
liquor party and call girls have also been called, raided the place of
occurrence and arrested *Manoj Yadav* and others including the
petitioner. Further, bottles of wine and used and sealed packet of



condoms were also recovered. It is further stated that two minor girls were also recovered from that place who told that they have been brought here by misleading them by *Gitanjali Devi*.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that apprehended persons disclosed that it is the accused *Manoj Yadav*, who had called upon them including petitioner to join the party and on search two girls found hiding in the kitchen, who were minor. *Geetanjali Devi* told that it is *Manoj Yadav*, who is having illicit relationship with her since last three years and she had called upon two girls in the name of mutton party there. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner is a lady and she has no criminal antecedent as has been mentioned in para 3 of this bail application and she is languishing in custody since 21.08.2020.

Learned APP for the State opposing the bail petition submits that statement of victim girls have been recorded under Section 164 Cr.P.C. and it supports the prosecution case. He submits that petitioner is the accused in the present case and she brought the two minor girls at the place of occurrence.

In the facts and circumstances of the case, I am not inclined to grant privilege of bail of the petitioner in connection with Body-Gaya P.S. Case No. 228 of 2020 to the satisfactiion of Learned Additional



District and Sessions Judge-VI-cum-Special Judge (POCSO), Gaya.

Accordingly, prayer for bail of the petitioner is hereby rejected.

However, petitioner may renew his prayer for bail **after framing of charge.**

(Anjani Kumar Sharan, J)

GAURAV S./-

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