

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31223 of 2021

Arising Out of PS. Case No.-326 Year-2020 Thana- MADHUBANI TOWN District-
Madhubani

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PRIYANKA KUMARI @ JULI W/O DINESH KUMAR YADAV @
DINESH DIWAKAR @ DINKAR KUMAR YADAV R/O VILLAGE-
BASKHORA, WARD NO.1, P.S.-MARAUNA, DISTRICT-SUPAUL, AT
PRESENT R/O NEW APARTMENT, WARD NO.20, NONIA TOLI, P.S.-
TOWN, DISTRICT-MADHUBANI

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.P.K. Shahi, Sr. Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Madhubani
Town P.S. Case No. 326 of 2020 registered for the offences
punishable under Sections 370(A), 371, 341, 323, 504, 307/34



of the I.P.C. and Sections 16, 18, 20 of Bonded Labour System Abolition Act, 1976.

According to prosecution case, on 29.12.2020 at 7:28 P.M., the informant received information from Childline Toll Free No. 1098 that a girl namely Saraswati Kumari aged about 10 years was working as child labour under the petitioner and she had been beaten by the petitioner on many occasions. The informant with the help of local police made free the victim girl from child labour.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and she has falsely been implicated in the present case due to dirty local politics. Learned counsel further submits that petitioner having four years old child with her inside the jail and the child is suffering from serious neuro problem and till date he is not able to stand and walk. Learned counsel further submits that petitioner has delivered a baby child in the jail custody. Petitioner is in custody since 30.12.2020. Petitioner carries two criminal antecedent.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as



well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani in connection with Madhubani Town P.S. Case No. 326 of 2020, subject to the following conditions:-

1. Petitioner shall co-operate 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 his absence on two consecutive dates without sufficient reason, his 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of



bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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