

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26730 of 2020

Arising Out of PS. Case No.-58 Year-2020 Thana- BAKHARI District- Begusarai

Sunita Devi Wife of Mantoon Nat Resident of Ismail Nagar, Ward No.08,
P.S.- Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr.Adv. Mr.Pushpendra Kumar Singh
For the Opposite Party/s	:	Mr. Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 26-02-2021 Heard learned counsel for the parties.

The petitioner seeks bail in POCSO Case No. 03 of 2020, arising out of Bakhri P.S. Case No. 58 of 2020 registered for the offence under Sections 346, 366(A), 367, 370, 370(A), 372, 372, 376, 120(B)/34 of the Indian Penal Code, Section 4, 6, 12, 17 of POCSO Act, Sections 46, 12, 17 of ITPA Act, Sections 75, 80, 81 of J.J.Act and Section 37(c) of Bihar Prohibition and Excise Act, 2016.

On a secret information, a raid was conducted in the house of Mantun Nutt and Sunita Devi (petitioner) and one minor girl was rescued, which is alleged to have been kept for prostitution. Some incriminating articles were also recovered from the house of petitioner.

It is submitted on behalf of the petitioner that the



thrust of accusation is against co-accused Mantun Nutt. It is submitted that the victim, in her statement recorded under Section 164 of the Cr.P.C., has stated that co-accused Mantun Nutt (husband of petitioner) is her maternal uncle and she was residing in his house after sad demise of her father. The victim girl has further stated that she was in illicit profession with her own will. Petitioner is in custody since 09-02-2020. Chargesheet has already been submitted. It is further submitted that co-accused Meera Devi has already been granted bail by this Court, vide order dated 11-09-2020 passed in Cr.Misc. No. 22427 of 2020.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I cum Special Judge, POCSO Act, Begusarai in connection with POCSO Case No. 03 of 2020, arising out of Bakhri P.S. Case No. 58 of 2020 on the following conditions:

“(1) Petitioner shall cooperate 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 her absence on two consecutive dates without sufficient reason, her 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.”

(Prabhat Kumar Singh, J.)

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