

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40220 of 2021

Arising Out of PS. Case No.-70 Year-2020 Thana- MAHILA P.S. District- Muzaffarpur

Farida Khatoon @ Neha Wife of Md. Tahsin Alam @ Tahsin Alam Resident
of Mohalla- Munna Agarbatti, Shukla Road, Chaturbhuj Asthan, P.S.- Nagar,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Iftekhar Mahmood

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 07-10-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Mahila P.S. Case No. 70
of 2020, registered for the offence under Section 376 & other
allied sections of the Indian Penal Code, Section 4 / 6 of the
POCSO Act and Sections 3/4/5/6 of Immoral Traffic Act.

On a secret information, a raid was conducted and this
petitioner alongwith other FIR named accused persons were
arrested and this petitioner is alleged to have indulged in
keeping minor girls for unlawful and immoral act.

It is submitted on behalf of petitioner that one of the
victim, who was apprehended alongwith this petitioner and
other co-accused, was examined and her statement was got
recorded under Section 164 Cr.P.C., in which, she has not
alleged that this petitioner had forced her in the business of flesh
trade (Annexure -2 to the bail petition). Petitioner has got clean



antecedent and she is in custody since 18.12.2020. Chargesheet has been submitted.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as the fact that petitioner is a lady and she has no criminal antecedent, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned A.D.J.-VII, Muzaffarpur in connection with Mahila P.S. Case No. 70 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 below and shall remain physically present, as directed by the court below, 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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