

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40090 of 2020

Arising Out of PS. Case No.-341 Year-2020 Thana- KOTWALI District- Patna

RANI KHATOON @ PINKY KHATOON W/o Md. Shahavaj, D/o Kayum
Khan R/o Isha Nagar, Naya Tola, P.S.- Phulwarisharif, Distt- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Adv.

For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 23-03-2021 Heard Mr. Ghanshyam Tiwary, learned counsel for
the petitioner and Ms. Sucheta Yadav, Additional Public
Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Kotwali PS Case No. 341/2020 registered for the offence
punishable under Sections 373/120(B) of the IPC and under
Sections 4(a) (b)/ 5 (d)/9 of the Immoral Traffic Prevention Act,
1956.

3. The allegation, as per First Information Report, is
that the petitioner along with other accused persons forced the
victim girl to indulge into flesh trade.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to oblique
motive and she has got no criminal antecedents of similar nature
and she is in custody since 28.08.2020. Learned counsel



referring to the statement of the victim girl recorded under Section 164 CrPC (Annexure-2) submits that the victim girl has categorically stated that the petitioner used to keep her properly and she (petitioner) was not involved in flesh trade. Learned counsel has relied upon the orders passed by the co-ordinate Bench wherein similarly situated co-accused persons, namely, Manawar Alam @ Md. Manouwer Alam and Kundan Kumar vide Cr. Misc Nos. 2287/2021 and 39850/2020 have been granted regular bail respectively, taking into consideration the statement made by the victim girl under Section 164 CrPC.

5. On the other hand, learned counsel appearing for the State, referring to records of the case, submits that the victim girl, at the first instance, has categorically, stated in her statement made under Section 161 CrPC that the petitioner and others had forced her to get indulged into flesh trade and subsequently, it appears that under some pressure, she changed her version while making statement under Section 164 CrPC.

6. Having regard to the submissions made by the parties and taking into consideration the statement of the victim girl made under Section 164 CrPC and the fact that similarly situated co-accused persons have been granted bail by a Bench this Court, I am inclined to grant regular bail to the petitioner.



7. Accordingly, let the petitioner, RANI KHATOON @ PINKY KHATOON be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of Smt. Tanveer Kaur learned Judicial Magistrate 1st Class, Patna/the court concerned in connection with Kotwali PS Case No. 341/2020.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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