

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7244 of 2022

Arising Out of PS. Case No.-384 Year-2021 Thana- ARWAL District- Jehanabad

1. MANJU DEVI W/o Late Satya Narayan Singh R/o village- Sasaram, P.S. and Distt.- Sasaram
2. Akhilesh Paswan S/o Rajendra Paswan R/o village- Lodipur, P.S.- Uphara, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj
For the Opposite Party/s : Ms.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-06-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Sections 346, 370, 370A, 372, 373, 376, 120B/34 of the Indian Penal Code and various sections of the I.T. P. Act as well as sections 4/6 of POCSO Act.

Allegedly, police raided different houses and places in locality of Janakpur Dham red light area in presence of independent witnesses and during course of raid, petitioners along with about 22 women and minor girls were found inside the house and some of the accused were found in objectionable condition and used and unused



condoms were also recovered from there.

The main submissions advanced by the learned counsel for the petitioners are that petitioner no.1 is female and she has been languishing in jail since 30.10.2021 being clean antecedent and all victims have not supported the prosecution allegation in their statements recorded under section 164 Cr.P.C and some accused persons have been granted bail by different benches of this court vide orders passed in Cr. Misc. no. 2970 of 2022 and analogous cases and allegation made against the petitioners is also similar nature like the said accused persons.

Learned APP opposes the prayer for bail.

Heard both sides and perused the FIR. As per allegation houses of petitioner no.1 and co-accused persons, namely, Shakuntala Devi, Rupsana Khatoon were the places of prostitution where minor girls from other State were found and subsequently, provisions of POCSO Act have been added and allegation against petitioner no.1 (Manju Devi) is that she is one of the operators in running the alleged brothel and as per prosecution allegation she was engaged in prostitution and inducing women and minor girls in immoral act. The said allegation appears against petitioner no.1 to be very serious in nature and same not only alleged running of brothels but also relating to human trafficking of minor girls from other States.

Considering the said nature of the allegation, petitioner no.1, Manju Devi, does not deserve privilege of bail and accordingly,



her prayer for bail is rejected.

So far as petitioner no.2 is concerned, he appears to be present as customer at the alleged place in view of allegation in the FIR and some other persons were also found on the alleged brothel and some similarly situated co-accused have been granted bail by different benches of this court, Accordingly, petitioner no. 2 (Akhilesh Paswan) is directed to 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 Chief Judicial Magistrate, Arwal in Arwal P.S Case No. 384 of 2021 arising out of POCSO Case no. 82/2021.

(Shailendra Singh, J)

s.hassan/-

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