

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23320 of 2022

Arising Out of PS. Case No.-78 Year-2016 Thana- MAHILA P.S. District- Muzaffarpur

Megha @ Kahkasha Khatoon W/o Late Salim Warasi R/o Mohalla- Pakki Sarai Road, Faridi Katra Gali, Ward No. 40, P.S.- Town, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 31-08-2022 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with S.Tr. No. 81 of 2022 arising out of Muzaffarpur Mahila P.S. Case No. 78 of 2016 lodged under Sections 376, 372, 373, 420 of the Indian Penal Code read with Section 3, 4, 5, 6 of Immoral Traffic Act, 1956.

As per the allegation made in the F.I.R. there are in total 12 persons have been made accused including the present petitioner, in which only general and omnibus allegation indicated in the F.I.R. that the present petitioner alongwith others used to conduct the business of prostitution by taking

girls into confidence.

Learned counsel for the petitioner submits that petitioner is in custody since 29.07.2021, chargesheet has already been filed in this case. On the point of criminal antecedent, learned counsel for the petitioner submits that there is only one case pending against the petitioner in which she is on bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-1, Muzaffarpur in connection with S.Tr. No. 81 of 2022 arising out of Muzaffarpur Mahila P.S. Case No. 78 of 2016, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of her

bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that she shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of her present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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