

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.40676 of 2021**

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

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1. JULI, W/o Md. Dillu, R/o village- Shukla Road Jora Gali, Chatarbhuji Asthan, P.S.- Town, District- Muzaffarpur
 2. MD. DILLU, S/o Md. Ali Hasan, R/o Shukla Road Jora Gali, Chatarbhuji Asthan, P.S.- Town, District- Muzaffarpur

... .. Petitioners

Versus

1. The State of Bihar
2. Ragini @ Kajal, D/O Md. Mahboob Alam, R/o village-Baongoan, P.S. Amor, District-Purnea

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

Mr. Ayush Kumar, Advocate

For the Opposite Party/s : Ms. Anita Kumari Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 08-02-2022

At the outset, Mr. Ranjeet Kumar, learned counsel for the petitioners informs this Court that petitioner no. 2 namely, Md. Dillu has died during the pendency of this application. In support of his submission, however, no document has been filed. Considering that for the present, he is only informing this Court it is for the learned court below to satisfy with this matter, this application in so far as it relates to petitioner no. 2 is not pressed.

Learned counsel for the petitioner no. 1 undertakes to remove the defects as pointed out by the Stamp Reporter within four weeks after start of normal functioning of this Court.

Heard Mr. Ranjeet Kumar, learned counsel for the petitioner no.1 and Ms. Anita Kumari Singh, learned APP for the State.



The petitioner no. 1 in the present case is seeking regular bail in connection with Mahila P.S. Case No;. 70 of 2020 registered for the offences punishable under Sections 341/342/366(A)/506/370(A)/376/373/34 of the Indian Penal Code, Section 4/6 of the POCSO Act and Sections 3/4/5/6 of the Immoral Traffic Prevention Act. The petitioner no. 1 is in custody since 19.12.2020. She has no criminal antecedent.

As per the prosecution story, this petitioner and co-accused Farida were arrested on spot. It is alleged that they were indulged in procuring customers for the minor girls in order to earn by prostitution. A reading of the F.I.R. shows how the victim girls who were found there on the spot have narrated the entire story.

Learned counsel for the petitioner no. 1 submits that co-accused Farida has been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 40220 of 2021. He has also pleaded on the principle of parity that the petitioner no. 1 deserves privilege of bail.

On the other hand, Ms. Anita Kumari Singh, learned A.P.P. for the State submits that a bare reading of the F.I.R. would show that the allegations against the petitioner no. 1 are serious. This petitioner was involved in compelling the minor girls in flesh trade and she was earning out of that.



Learned A.P.P. submits that perhaps this aspect of the matter that is the seriousness of the offence alleged was not a consideration in the matter of Farida who has been granted bail.

Considering the seriousness of the offence alleged and the fact that the petitioner no. 1 was arrested on spot and the victim girl who was recovered from there is hapless minor girl who had been thrown in this prostitution, this Court is not inclined to release the petitioner no. 1 on bail at this stage.

Let the trial be expedited.

The trial court is directed to proceed with the trial as early as possible and all endeavours be made to conclude the same within a period of six months from the date of communication of this order. The records will be kept on shorter date and the prosecution must cooperate by bringing all the witnesses on the date fixed in the matter. If the trial still remains unconcluded within the aforesaid period for no reason attributable to the petitioner no. 1, she will be at liberty to renew her prayer for bail.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

