

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65254 of 2021

Arising Out of PS. Case No.-42 Year-2019 Thana- MAHILA P.S. District- Araria

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Rupa Devi W/o- Rajkumar Mandal Resident of Village- Ward No.10,
Amgachhi, P.S.- Sikty, District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 11-10-2022 Let the defect(s), 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
Mahila P.S. Case No. 42 of 2019 (G.R. No. 1544 of 2019)
lodged under Sections 370, 370(A), 341, 342, 323, 504, 506/34
of the I.P.C.

As per the prosecution case, the allegation of Immoral
Traffic is against the petitioner. The further allegation against
the petitioner is that she sold the victim with other accused
persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits

that from the contents of the F.I.R. itself, it transpires that the alleged victim has visited Muzaffarpur with the father and brother of the victim. Lastly, on 02.03.2019, the N.G.O. visited to the victim alongwith the father and brother but the present case was not filed in the month of March 2019 rather it was filed 2 months thereafter that is on 08.05.2019. Learned counsel for the petitioner submits that antecedent of the petitioner is clean and she is in custody since 13.09.2021, charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that allegation of human trafficking is there against the petitioner.

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 A.C.J.M. V, Araria in connection with Mahila P.S. Case No. 42 of 2019 (G.R. No. 1544 of 2019), 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 be resulted into cancellation of his bail bond.

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

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

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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