

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10949 of 2023

Arising Out of PS. Case No.-66 Year-2022 Thana- MAHILA PS District- Buxar

JHUNI DEVI @ SUNI DEVI WIFE OF LORIK RAY R/O VILLAGE-
BARUPUR, P.S.- RAJPUR, DISTRICT- BUXAR Petitioner/s

Versus

The State of Bihar Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 11315 of 2023

Arising Out of PS. Case No.-66 Year-2022 Thana- MAHILA PS District- Buxar

ABHISHEK KUMAR Son of Rajesh Pal @ Rajesh Prasad Resident of
Mohalla- Civil Line, P.S.- Buxar (Town), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 10949 of 2023)

For the Petitioner/s : Mr.Ashwini Kumar Rai, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

(In CRIMINAL MISCELLANEOUS No. 11315 of 2023)

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioners and the

learned APP for the State.

The petitioners are in judicial custody in connection

with Buxar Mahila P.S. Case No.66 of 2022 instituted under

Sections 419, 420, 376 of Indian Penal Code under Section 4/8

of POCSO Act and under Sections 3, 4, 5, 7, 8 and 9 of Immoral

Trafficking Act 1956 lodged on 28.12.2022 by the informant

Nirmal Kumar.



As per the FIR, on the basis of secret information regarding running of Sex racket, the informant with other police official raided the Hotel Anita, Hotel Paradise and Hotel Vishnavi situated on station road and apprehended many male and female including the petitioners from different rooms of aforesaid Hotels. Accordingly, the FIR.

It has been submitted by learned counsel for the petitioners that all the persons male/female arrested were above 18 years and as such under no circumstance POCSO Act will come into picture and further there has not been any allegations by the said ladies.

Taking into account the aforesaid facts that they are in custody since the date of F.I.R. and do not have criminal antecedent, case lodged and ultimately they will have to face the trial as also the fact that similar placed co-accused Chhaththu Kumar in Cr. Misc. No. 9565 of 2023 has been granted relief on 03.05.2023 by this Court, this Court is inclined to extend them the privilege of bail.

Let the petitioners be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each in connection with Buxar Mahila P.S. Case No.66 of 2022 to the satisfaction of learned A.D.J. VI-



cum-Special Special Judge POCSO Act at Buxar, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Ravi/Kiran-

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