

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24875 of 2023

Arising Out of PS. Case No.-234 Year-2022 Thana- BIRPUR District- Supaul

Vibha Devi W/O- Rajesh Paswan R/O- Basmatiya, P.S.- Basmatiya, Distt.-
Araria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Mohammed Arif, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 19-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Birpur (Bhimnagar O.P.) P.S. Case No. 234 of 2022 dated
20.07.2022 registered for the offences punishable under
Sections 365, 366A, 370, 370A, 511 and 120B/34 of the Indian
Penal Code.

3. The main submissions advanced by learned
counsel for the petitioner are that the petitioner is a lady and
has been languishing in jail since 20.07.2022 and she is a co-
villager of the victim girl, in actual on the alleged date of
occurrence, the petitioner was going to a Doctor for her
Ultrasound examination along with the victim and other co-
accused persons and the said petitioner is neighbour of the
victim and a distant relative of her and merely on suspicion and



misunderstanding, the petitioner and co-accused persons were suspected to have indulged in human trafficking of the victim girl and the said allegation is completely false and merely on account of the victim being found with this petitioner and co-accused persons in the alleged vehicle and travelling in the same, the alleged offences mentioned in the FIR were suspected to have been committed. Further submissions are that the victim girl is aged between 18 and 20 years and against the petitioner, the investigation has been completed and the trial has also started and the charge has been framed upon her on 23.01.2023 and co-accused persons namely Navid Ansari @ Naavid Ansari and Amzad Alam, who are carrying similar nature of allegation, have been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 58726/2022. Further submission is that the petitioner has fair and clean antecedent.

5. Per Contra, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record and also the completion of investigation against the petitioner, I deem it fit and proper to admit the



petitioner to the privilege of bail.

7. Accordingly, let the petitioner named-above be enlarged 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 Court concerned in connection with Birpur (Bhimnagar O.P.) P.S. Case No. 234 of 2022, **on the following conditions:-**

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(iii) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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