

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45382 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- PARBATTa District- Bhagalpur

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1. LAKSHMI DEVI W/O UMESH YADAV R/O VILLAGE-
CHOUDHARYDIH, PS. LODIPUR, DIST. BHAGALPUR
 2. SEEMA DEVI W/O OM PRAKASH JHA R/O VILLAGE- KHARHARA,
PS. BARAHAT, DIST.BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with Parbatta P.S. Case No. 14 of 2023 registered for the offence under Sections 420 and 120(B) of the Indian Penal Code and Section 4, 5 and 6 of the Immoral Traffic (Prevention) Act, 1956.

The petitioners are prosecuting in this case with the accusation of cheating the people of another states on the pretext of providing unmarried girls for the purpose of marriage and in lieu thereof they used to cheat the people by demanding the money.

Learned counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, are innocent



and have falsely been implicated in this case. He further submits that on bare perusal of the F.I.R., it appears that there is no specific allegation of demanding money or providing any unmarried girl to the informant against the petitioners rather the petitioners were present at the Zero Mile Bus stand and merely on misconception, they have been apprehended by the police. He further submits that the co-accused persons who are named in the F.I.R. have taken money from the informant. Moreover, co-accused, Komal Devi, Sachin Sharma and Taslim Ansari having more or less similar allegation have already been granted bail by a co-ordinate Bench of this Court vide order dated 23.05.2023, 24.05.2023 and 25.05.2023 passed in Cr. Misc. No. 25103 of 2023, Cr. Misc. No. 28017 of 2023 and Cr. Misc. No. 26890 of 2023 respectively. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioners. The petitioners are rotting in judicial custody since 22.01.2023.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Naugachiya in connection with Parbatta P.S. Case No. 14 of 2023/



G.R. No. 69 of 2023 with the following conditions:-

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

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

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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