

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59066 of 2023

Arising Out of PS. Case No.-89 Year-2023 Thana- RAUTA District- Purnia

CHANDANI KHATOON W/O NAHID ALAM R/O VILLAGE-
VISHANPUR, PS. KOCHADHAMAN, DIST. KISHANGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-09-2023 Heard the parties.

2. The petitioner is in judicial custody in connection with Rauta P.S. Case No. 89 of 2023 for the offence punishable under Sections 341, 342, 323, 371, 370(A), 376, 120-B of the Indian Penal Code and sections 3,4,5,6,9 of Immoral Trafficking (Prevention) Act, 1956 lodged on 18.6.2023 by the informant, Ramesh Kant Choudhary.

3. As per the prosecution story, the allegation is that the police upon information of immoral trafficking, conducted raid in the red light area and the victim girls/ladies were rescued and amongst the accused persons, the name of this petitioner cropped up. Huge materials relating to immoral trafficking were recovered from the places where the raid was conducted. Accordingly, the FIR.



4. Learned counsel for the petitioner has drawn attention of this Court to the statement made by the victim girls/ladies under section 164 of the Cr.P.C. to show that none of them have taken the name of the petitioner.

5. Learned APP opposes the prayer stating that he was part and parcel of the immoral trafficking.

6. Considering the submission put forward by the parties, the petitioner is a lady, do not have criminal antecedent, is in custody since 20.6.2023 (para-4 of the petition), the victim girls/ladies have not named the petitioner in their 164 Cr.P.C. statement, he will be appearing in trial diligently, this Court is inclined to extend her the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class cum AM 2nd, Purnea, in connection with Rouda P.S. Case No. 89 of 2023 subject to the 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 petitioner 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 her bail bond by the Trial Court itself;

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

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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