

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60361 of 2022

Arising Out of PS. Case No.-121 Year-2022 Thana- BHAGWANPUR District- Begusarai

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YASMIN Daughter of Md. Salam Resident at Muhalla- Charbhuj Asthan, P.S-
Muzaffarpur Town, Bihar 842002

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Atul Chandra,APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-01-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Bhagwanpur (Teyay O.P.) P.S. Case No. 121 of 2022, registered for the offences punishable under Sections 363, 370, 373, 34 of the Indian Penal Code and Sections 3, 4 and 5 of the Immoral Trafficking Act-1956. Later on, Sections 4 and 6 of POSCO Act were added.

The allegation is regarding the petitioner and one other co-accused person, namely, Priyanshu Pathak (uncle of the victim girl,



namely, Siddhi Kumari) having abducted the victim girl, whereafter they had taken the victim girl to the house of the petitioner where she was kept confined for three days and, subsequently, the victim girl was recovered from the house of the petitioner. It is alleged that the victim girl was kidnapped for human trafficking.

The learned counsel for the petitioner has submitted that the petitioner is innocent, she has been falsely implicated in the present case, she is having a clean antecedent and she is languishing in custody since 27.06.2022. The learned counsel for the petitioner has further submitted by referring to the statement made by the victim girl under Section 164 Cr.P.C., before the learned Magistrate that the victim girl has not alleged any untoward incident having been effectuated by the petitioner and, on the contrary, she has stated that the petitioner, while talking to her uncle, had told him that she does not want to get involved in the present occurrence, hence, it is stated that the petitioner



is not having any complicity in the matter.

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

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, this Court finds that the petitioner had illegally confined the minor daughter of the informant in her house and, ultimately, the victim girl was recovered from the house of the petitioner, hence, I am not inclined to grant bail to the petitioner herein at the moment, however, I deem it fit and proper to direct for release of the petitioner on bail, immediately upon framing of charges in the present case by the learned trial court, subject to such conditions as may be deemed fit and proper to be imposed by the court of learned C.J.M., Begusarai in connection with Bhagwanpur (Teyay O.P.) P.S. Case NO. 121 of 2022.



The petition stands disposed off with the
aforesaid observations and directions.

(Mohit Kumar Shah, J)

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