

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63801 of 2022

Arising Out of PS. Case No.-392 Year-2022 Thana- DUMRA District- Sitamarhi

1. RIYA SOREN D/O KISHNU SOREN Resident of Village- Maliki, P.S.- Godap, District- Hoogli, State- West Bengal.
2. JHUMA MANDI D/O GURDAS MANJHI Resident of village- Panduwa, P.S.- Panduwa, District- Hoogli, State- West Bengal.
3. SUNITA DEVI W/O SHYAMBABU PASWAN Resident of village- Riga P.S.- Riga District- Sitamarhi.
4. ANJALI KUMARI W/O DILIP KUMAR Resident of village- Kanhai, P.S.- Kanhai, District- Hoogli, State- West Bengal.
5. PRITI W/O AKASH KUMAR Resident of village- Bhatinda (Gonihara), P.S.- Bhathinda (Gonihara), District- Mandi, State- Punjab.
6. NEHA KUMARI D/O BHIKHAR SARDAR Resident of village- Darbhanga, P.S.- Madhepura, District- Madhubani, State- Bihar.
7. AKASH KUMAR S/O ARVIND GUPTA Resident of village- Marapali, P.S.- Rampur, Gulaki, District- Dewaria, State- Uttar Pradesh .
8. DILIP KUMAR S/O BACCHU BHAGAT Resident of village- Narkatiya Bazar, P.S.- Dardha, District- East Champaran.
9. RAMESH KUMAR S/O SURENDRA GAMI Resident of village- Majhauria, P.S.- Bathana, District- Sitamarhi.
10. SHYAM BABU PASWAN S/O SHANKAR PASWAN Resident of village- Shawajpur, P.S.- Riga, District- Sitamarhi.
11. BIJ KUMAR @ BRIJ KUMAR S/O BINDESHWARI RAI Resident of village- Champapur Khas, P.S.- Ghodasahan, District- East Champaran.
12. HITU KUMAR S/O BAIDHNATH SADA Resident of village- Radhopokhri, P.S.- Punaura, District- Sitamarhi.
13. KALPANA DEVI W/O HITU KUMAR Resident of village- Maligaon, Ward No- 8, P.S.- Bhansar, District- Guwahati.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ayush Kumar, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2023

Heard learned counsel for the petitioners and the



learned A.P.P. for the State.

The petitioners seek bail in a case registered for the offence under Sections 363, 365, 366(A), 370, 370(A), 372, 373, 376, 120(B) of the Indian Penal Code, Sections 3,4,5,6 of Immoral Trafficking Act, 1956, Section 4/6 of POSCO Act and Sections 75/79 of J.J.Act.

The prosecution case, in short, is that the informant alleged that after enquiry of co-accused, namely, Chandani Devi, she disclosed that she and her husband Ravi Kumar alongwith other petitioners were engaged in flesh trading and prostitution in the pretext of dancing and singing engaging minor girls trapped in allurement of money.

Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case on the basis of the disclosure made by co-accused, namely, Chandani Kumari. Further submits that the petitioners have not committed any offence as alleged in the FIR and except the disclosure made by co-accused, namely, Chandani Kumari, no other cogent material has come during investigation against the petitioners and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 25.08.2022.



Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail **after framing of the charges** on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Dumra P.S. Case No. 392 of 2022 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 bonds shall be cancelled 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 antecedents, 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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