

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68233 of 2022

Arising Out of PS. Case No.-447 Year-2022 Thana- BHAGWAN BAZAR District- Saran

1. Sabana Khatoon Wife Of Munna
2. Neyab Khatoon Wife Of Late Neejam Khan
Both are R/O Village- Belter, P.S.- Bhagwan Bazar, District- Saran
3. Neha Devi Wife Of Kanhaiya Sah R/O Village- Maneydhala South Tola,
P.S.- Daudpur, District- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Srivastva, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2023 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 294, 506,504,34 of the Indian Penal Code and Sections 3,4,5 and 6 of the Immoral Traffic (Prevention) Act.

The prosecution case, in short, is that the informant alleged that his neighbours namely, Shabana Khatoon, Neyab Khatoon and Maina Khatoon used to run brothel in their houses and brings the girls from distant places and indulge them in prostitution, when they oppose it, then the accused started abusing and quarreling.

Learned counsel appearing for the petitioners submits



that the petitioners have clean antecedent and they falsely been implicated in the present case. Further submits that it appears from the FIR that there is general and omnibus allegation against petitioner Nos.1 and 2 of running brothel in their houses and there is no specific allegation in which house they are running brothel. Further submits that the petitioner No.3 is a married lady and she has falsely been implicated in the present case and no specific allegation against her. Further submits that due to previous dispute, the petitioners have falsely been implicated in the present case. Further submits that petitioner No.1, namely, Shabana Khatoon has filed a Complaint Case No.2545 of 2022 against the informant, due to this reason, the present false FIR has been lodged by the informant against the petitioners. Further submits that the police, after investigation, submitted chargesheet against the petitioners and the petitioner are in custody since 18.09.2022.

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 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 Bhagwan Bazar P.S.Case No. 447 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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