

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73671 of 2023**

Arising Out of PS. Case No.-723 Year-2023 Thana- BHAGALPUR KOTWALI District-  
Bhagalpur

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RANI DEVI @ KAVITA WIFE OF SRI CHANDAN MANDAL RESIDENT  
OF VILLAGE - DIGGI, P.S. - NATHNAGAR (MASUDANPUR),  
DISTRICT - BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Vivekanand Vivek

For the Opposite Party/s : Mr.Md. Mushtaque Alam

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

3      11-12-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with  
Kotwali (Barari) P.S. Case No.723 of 2023 registered for the  
offences punishable under Sections 370/370(a), 120(B) of the  
IPC and Sections 3, 4, 5, 6 and 7 of the Prevention of Immoral  
Traffic Act, 1956.

3. As per prosecution case, informant received  
secret information that petitioner and other are running the  
prostitution centre from the house of co-accused Hridesh Kumar  
Mishra. Informant raided the said place and found six rooms  
inside the house out of which five rooms were locked from  
inside and one was locked from outside. The raiding party got



opened all rooms and found petitioner and others. It is further alleged that from the possession of the petitioner, one touch screen mobile and some amount in cash were recovered.

4. Learned counsel for the petitioner submits that petitioner is in custody since 07.08.2023 and petitioner being a lady having no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that from the perusal of the seizure list no incriminating article was recovered from the possession of the petitioner. Petitioner is quite innocent and has committed no offence as alleged in the FIR. He further submits that petitioner went to meet the lodge owner, Hridyesh Kumar Mishra, to take a room on rent for her brother who was to attend the coaching institute. But in the meantime raid was conducted by the police and on suspicion petitioner was made accused in the present case. He further submits that petitioner having unblemished carrier and for the sake of argument even if she is connected with the alleged occurrence she cannot be made accused in the present case as she being a lady having nothing to do with the alleged occurrence. He further submits that co-accused Pritam choudhary, who was apprehended on spot, has already been granted bail vide Cr. Misc. No. 71090 of



2023 by a co-ordinate Bench of this Court and the case of present petitioner stands on similar footing.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of the petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhagalpur in connection with Kotwali (Barari) P.S. Case No.723 of 2023 , subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.



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

**(Alok Kumar Pandey, J)**

vashudha/-

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