

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79418 of 2023

Arising Out of PS. Case No.-412 Year-2022 Thana- TRIVENIGANJ District- Supaul

1. Shabnam Kumari D/O Feku Sardar Resident Of Village - Mahathwa Jaynagar, P.S. - Bhargama, District - Araria, Presently, Sahkarmi (EMPLOYEE), Jeetu Star Musical Group, Saharsa, Resident Of Saharsa Nagar Parishad, Saharsa, Ward No.18, P.S. And District - Saharsa
2. Jeetu Star @ Jitendra Kumar Jeetu Son Of Bambholi Sharma Proprietor, Jeetu Star Musical Group, Saharsa, Resident Of Saharsa Nagar Parishad, Saharsa, Ward No.18, P.S. And District - Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 346, 372, 376, 420, 307, 506 and 34 of the Indian Penal Code, Section 27 of the Arms Act, Sections 5 & 6 of the Immoral Traffic (Prevention) Act, 1956 and Sections 4 & 6 of the POCSO Act pending in the learned court below.

3. Allegation against the petitioners is that they along with one other co-accused sexually assaulted the minor daughters of the complainant and conspired/trapped them into prostitution and in women trafficking.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that the statement of the victim was recorded under Section 164 Cr.P.C. in which she has supported the prosecution case. He submits that the medical board examined the victim and found their age between 19-21 years (X) and 18-20 years (Y). He further submits that the medical board after examining the victim girls has found no any sign of sexual assault upon them. He submits that an agreement was made between petitioner no.2 and the victims to work in a musical group w.e.f. 02.04.2022 after accepting Rs.1,50,000/- and in this regard she executed a bond paper-cum-affidavit on 02.04.2022. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the aforesaid facts and circumstances as well as the fact that there is no specific allegation against petitioner no.1, let the petitioner no.1, named above, in the event of her arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Triveniganj P.S. Case No.412 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. As there is specific allegation against petitioner no.2, I am not inclined to enlarge the petitioner no.2 on anticipatory bail.

8. However, if petitioner no.2 surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order without being prejudiced by this order.

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

