

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70834 of 2023

Arising Out of PS. Case No.-78 Year-2022 Thana- MAHILA PS District- Gaya

Soni Devi Wife Of Sunil Kumar, D/O- Rup Narayan Village- Dinari Ps-
Balkoriya Dist- Sonbhadra U.P

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinita Kumari, Female aged about- 14 years, D/o Ramshankar, R/o-
Balkoriya, Sonbhadra, Uttar Pradesh

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dayanand Singh

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 03-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2.The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376, 114, 366, 366A and 34 of the Indian Penal Code, Section 6 of POCSO Act, Sections 3, 4, 5, 6 and 7 of the Immoral Trafficking Act and Section 3(i)(r) 3(1)(s),3(i)(w)(i) 3(2)(va) of the SC/ST Act.

3. Allegation against the petitioner along with other co-accused person is that they forcefully engaged the informant in flesh trade and when she denied, the petitioner and other accused persons assaulted the informant and locked her in a room. However, she somehow managed to flee from the captivity and filed the present F.I.R. against the petitioner and



others.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Petitioner is lady having two years child. She has falsely been implicated in this case. Nothing specific allegation has been levelled against the petitioner and she has no concern with the alleged occurrence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. It is further submitted that medical report of the victim suggests that victim is major. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 20.06.2023 in Cr. Misc. No. 67307 of 2022. Moreover, she is languishing in judicial custody since 09.09.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the fact that petitioner being a lady and her period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mahila P.S. Case No. 78 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge



POCSO Court-cum-Additional District and Sessions Judge, VI,
Gaya.

(Sunil Kumar Panwar, J)

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