

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73397 of 2023

Arising Out of PS. Case No.-417 Year-2023 Thana- GARDANIBAG District- Patna

BACHCHI DEVI WIFE OF LATE DWARKA GOPE RESIDENT OF
VILLAGE- AMBEDKAR CHOK, CHITKOHRA, PS- GARDANIBAGH,
DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Mishra, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 07-05-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Special Case No. 147 of 2023 arising out of Gardanibagh P.S. case No. 417 of 2023 instituted for the offences under Sections 341, 342, 376, 372/34 of the Indian Penal Code and Section 4/6 of the POCSO Act and Sections 3, 4, 5, 6 of the Immoral Traffic Act.

3. Prosecution case, in short, is that on 18.05.2023, the informant's minor daughter went outside to do the work of maid but she did not return. It is further alleged that on 26.05.2023, on the basis of information that his daughter has been confined by a woman in Virasat Apartment, Chitkohara, police raided the place and found the victim girl. It is further alleged that the



victim disclosed that the petitioner confined the victim in a room and compelled her to make physical relations with 8-10 persons daily in a regular way.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. He further submitted that FIR has been lodged after a long delay without any plausible explanation which raises doubt over the prosecution story. He further submitted that during investigation, the alleged occurrence has not been confirmed by any independent witnesses. Learned counsel further referred Annexure-2 of the present bail application and contended that medical report of the victim does not support the allegation as levelled against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.05.2023 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that this petitioner confined the minor daughter of the informant in a room for the purpose of prostitution business, and in support of his contention, learned counsel referred the statements of the victim recorded under Sections 161 and 164 of the Cr.P.C. in which the victim has specifically supported the



prosecution version. Learned counsel further submitted that various objectionable articles/material was seized from the flat of the petitioner (as per para-9 of the case diary). Learned counsel, therefore, urged that considering the heinous nature of offence, the petitioner may not be released on bail.

6. Having considered the submissions canvassed by the learned counsel for the petitioner and material available on record coupled with the fact that there is ample evidence to establish the involvement of the petitioner in the offence, this Court is not inclined to grant bail to the petitioner.

7. Prayer is rejected.

8. Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

