

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83797 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- GANGTA District- Munger

Lily Devi Wife of Ranjeet Prasad R/O-Mohalla- Railway Colony, Quarter No
300/A, Jhajha, PS- Jhajha, Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-12-2024 Heard the parties.

2. The petitioner is in custody in connection with Gangta P.S. Case No. 27 of 2024 for the offence under Sections 363, 366A, 346, 366, 370, 376 and 506 of the Indian Penal Code and Sections 3, 4, 5 and 6 of the Immoral traffic (prevention) Act lodged on 05.04.2024 by the informant, Anita Devi.

3. As per the prosecution story, the informant alleged that after taking dinner, went to the roof of her house for sleeping when the husband was not present. Upon return, found the daughter missing. Later, she registered FIR.

4. Learned counsel for the petitioner submits that the girl subsequently was recovered and disclosed that she is major, nineteen years old (D.O.B. 30.06.2005) and also made a statement that she ran away on her own, no one has kidnapped her. It is the further case of the petitioner that she is a lady, any



role attributed to the accused who allegedly committed rape, cannot be the ground for her incarceration and she is in custody since 26.07.2024 (paragraph-4 of the petition) having no criminal antecedent.

5. Learned APP opposes the prayer for bail submitting that this petitioner used to lure the young girl for such activities.

6. Taking into account the aforesaid facts as also that the petitioner is a lady, is in custody since 26.07.2024, FIR lodged and will be facing the trial, this Court is inclined to extend her the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned J.M. 1st Class, Munger, in connection with Gangta P.S. Case No. 27 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

(Rajiv Roy, J)

Adnan/-

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