

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10099 of 2025

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

Sukma Devi, W/o Suresh Ram, R/o Village-Charghara, P.S.-Jhajha, Distt.-
Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 20-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Gangta P.S. Case No.27 of 2024 registered for the
offences punishable under Sections 363 and 366-A of the
Indian Penal Code (in short 'IPC').

3. The accused/petitioner is named in the FIR and is
in custody since 26.04.2024.

4. Allegation against the petitioner is to force the
informant aged about 19 years to join in trade of immoral
activities.

5. It is submitted by learned counsel appearing for
petitioner that from the statement of victim as recorded under



Section 164 of the Code of Criminal Procedure (for short 'CrPC'), it can be gathered safely that she joined the trade of immoral activities out of her own sweet will for the reason that she was operating the mobile phone and also the bank account independently. It is submitted that if it was under force or coercion then, she had sufficient opportunity to report the offence with concerned police, but, only when petitioner was arrested by police, the activities of informant was also came into picture. It is submitted that the victim admittedly a major girl and she was apprehended from the house of co-accused Leela Devi and not from this petitioner. While concluding argument, it is submitted that despite of custody of petitioner being a lady of clean antecedent i.e. of more than one year since 26.04.2024 even this matter not appears committed to the court of session.

6. Heard learned APP for the State.

7. A report regarding stage of trial was called for from the learned trial court, which made available to this Court through Letter No.25 dated 22.07.2025, which speaks that still police paper to petitioner was not supplied in terms of



Section 207 of the CrPC and this matter is awaiting commitment to sessions court.

8. In view of aforesaid factual submissions and by taking note of fact as the informant/victim was major at the time of occurrence and she appears recovered from the house of co-accused and not from the house of this petitioner, coupled with the fact that there is almost no progress in trial and matter is still awaiting commitment despite of fact that petitioner remains in custody since 26.04.2024, accordingly, the petitioner, who is a lady of clean antecedent, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Munger in connection with Gangta P.S. Case No.27 of 2024, subject to the conditions as laid down under Section 437(3) of the CrPC/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

Sanjeet/-

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