

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27329 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- MAHILA P.S. District- Purnia

Laxmi Devi Wife of Shambhu Prasad Sah @ Shambhu Nath Gupta R/O-
Nayatola Daheria, P.S.- Town Thana Katihar, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Binay Krishna, Spl.PP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 03-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Mahila P.S. Case No. 07 of 2025 registered for the offences under Sections 127(6), 140(4), 143(e), 145, 64, 61, 352, 351(2) and 3/5 of the Bharatiya Nyaya Sanhita, Sections 3, 4, 5 and 6 of the ITP Act 1956, Sections 4 and 6 of the POCSO Act and Sections 3(i)(r)(s)(w)(i), (ii) and 3(2)(v) of the SC & ST (POA) Act.

3. The petitioner is named in the F.I.R. and is in custody since 01.02.2025.

4. The allegation against the petitioner is to involve in immoral activity and when upon information a raid was conducted in red light area of Khuskibagh Purnea, from where 11 minor



victim said to be recovered/rescued.

5. Learned counsel appearing on behalf of the petitioner submitted that implication of petitioner with the present case is merely on the basis of suspicion as petitioner is resident of nearby locality and was completely unaware about the activities, which were running over there. It is submitted by learned counsel that none of the victim made their statement under Section 183 of the BNSS, suggesting any incrimination against petitioner, which may suggest involvement of petitioner with the present crime in question. It is submitted that there is nothing on record or surfaced during the course of investigation, which may suggest that alleged activities are out of atrocities as defined within the meaning of SC/ST Act, 1989. While concluding the argument it is submitted that petitioner is a lady of clean antecedent, and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned Spl.PP appearing on behalf of the State, while opposing the prayer for bail could not dispute aforesaid factual submission.

7. In view of aforesaid factual submission and by taking note of statement of recovered victim as recorded under Section 183 of the BNSS, where prima-facie nothing incriminating appears



against petitioner, coupled with the fact as petitioner remains in custody since 01.02.2025, being a lady of clean antecedent, accordingly above named petitioner, is directed to be released on bail in connection with Mahila P.S. Case No. 07 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned D.A.S.J.-06th-cum-Special Judge, (POCSO), Purnea/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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