

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35956 of 2025**

Arising Out of PS. Case No.-553 Year-2024 Thana- BETTIAH CITY District- West
Champaran

Sunita Devi, aged about 54 years, Female, W/O Devnath Giri, R/O Village-
Bishunpura, PS- Yadopur, District- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party : Mr. Vinod Shanker Modi, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Bettiah
Town P.S. Case No. 553 of 2024 dated 26.12.2024 registered for
the offences punishable under Sections 144(2), 351(2) of the
B.N.S. and Sections 3(1) and 5(1) (d) of the Immoral Traffic
(Prevention) Act.

3. As per the prosecution case, on 16.12.2024 at about
2.10 P.M., during the course of patrolling, police arrested the
petitioner and four other women from the Tempo. On
interrogation, out of three ladies found from the Auto, one
disclosed that her daughter, who too was found in an Auto with
her mother, had left home in the year 2023 after a quarrel,



thereafter, she was indulged by the co-accused Saraswati Devi and Sunita Devi (petitioner) in flesh trade at Narayani Hotel, for which a case was lodged by the police in which the co-accused Sarswati Devi had gone to jail. The said lady also disclosed that she alongwith her daughter were called at Hospital Road for compromising the aforesaid case but when they reached to Sunita Devi (petitioner) and and the co-accused Sarswati Devi, Sunita Devi (petitioner) in a planned manner persuaded them for immoral trade having extended greed of money and threat, on which, they sat in the Tempo. The another lady disclosed that she had visiting term with the sister of Sunita Devi (petitioner), who is her neighbour and Sunita Devi (petitioner) had taken her photo and threatened to separate her from her husband, due to fear of which she sat in the Auto. The petitioner and the co-accused Saraswati Devi accepted that both of them have been jailed in the past in the case of immoral prostitution.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case for ulterior motive, extraneous consideration, under mistake of fact, on instance of local inimical persons and merely on suspicion and to give different colour to the incident. The petitioner has no concern with the so-called victims. It is further



submitted that the co-accused who disclosed that the petitioner had extended threat and greed of money to make her sit in the Auto has herself involved in such activity with her daughter and earlier also a Mahila P.S. Case No. 04 of 2023 was lodged on 24.01.2023 under the provisions of Immoral Traffic (Prevention) Act besides other offences, her daughter i.e., one of the victim of the present case had posed herself as a victim of the case. It is further submitted that when the petitioner was returning from hospital, she was arrested by the police merely on the basis of suspicion. It is further submitted that the charge sheet has been submitted in the present case. The petitioner is suffering from various diseases. The petitioner has one criminal antecedent which is of similar nature in which she is on bail as stated in paragraph no. 3 of the bail petition. She is in custody in this case since 27.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M.



Bettiah, West Champaran in connection with Bettiah Town P.S.
Case No. 553 of 2024 with further conditions:-

- (I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.
- II. If the petitioner is found involved in similar nature of offence in future, her bail bonds are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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