

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37259 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- RAXAUL District- East Champaran

1. Suganti Devi W/O Naresh Ray R/O Village- Lerua, PS- Madhaura, Distt.- Saran at Chapra.
2. Asha Devi W/O Baliram Singh @ Baliram Sah R/O Village- Lerua, PS- Madhaura, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Shankar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 10-10-2025 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing on behalf of the State.

2. The petitioners seeks bail in connection with Raxaul
P.S. Case No. 69 of 2025 registered for the offences under
Sections 137(2), 140(3), 144 and 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. Both petitioners are named in the F.I.R. and are in
custody since 14.02.2025.

4. As per case of prosecution petitioners while
trafficking two Nepalese girls through Indo-Nepal border were
apprehended.

5. Learned counsel appearing on behalf of the
petitioners submitted that both alleged victims are admittedly



found major i.e., 19 years and 31 years old and while recording their statement under Section 183 of the BNSS they categorically stated that they were going along with accused persons to participate in Laxmi Pooja ceremony scheduled to solemnize in Chapra. It is submitted that nothing transpires from their statement, which may suggest that they were kidnapped or allured by petitioners, which may attract *prima-facie* allegation of trafficking against petitioner. It is also pointed out that similarly situated co-accused persons namely Rajesh Kumar, Jitendra Kumar & Santosh Kumar Ram have already granted bail through Cr. Misc. No. 33940 of 2025 and Cr. Misc. No. 37804 of 2025 dated 04.09.2025 and as such these petitioners also deserves bail on the ground of parity. While concluding the argument it is submitted that, petitioners are ladies 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 APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of fact as victim while recording their statement under Section 183 of the BNSS completely negate the allegation of kidnapping or alluring to suggest *prima-facie* their trafficking,



coupled with the fact as both petitioners remains in custody since 14.02.2025,being ladies of clean antecedent, accordingly both above named petitioners, are directed to be released on bail in connection with Raxaul P.S. Case No. 69 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., East Champaran, Motihari/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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