

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38402 of 2025**

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

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Saraswati Devi W/o Surendra Mukhiya R/o Village- Ninwaliya Mirzapur,  
P.S.- Majhauriya, District- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Brij Kishor Mishra, Advocate  
For the Opposite Party : Mr. Surendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      25-06-2025                      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 Trafficking Act.

3.      As per the prosecution case, on 16.12.2024  
  
at about 2.10 P.M., during the course of patrolling, the Police  
arrested the petitioner and four other women from a Tempo. On  
interrogation, one of the ladies disclosed that her daughter, who  
too was found in the Tempo, had left home in the year 2023 and  
thereafter, she was indulged in flesh trade by the petitioner and  
co-accused Sunita Devi, for which a case was lodged by the



police in which the petitioner had gone to jail. The said lady also disclosed that she along with her daughter was called at Hospital Road for compromising the aforesaid case but when they reached Hospital Road, the petitioner and co-accused Sunita Devi in a planned manner persuaded them for immoral trade having extended greed of money and threat, on which, they sat in the Tempo. In the meantime, the Police intercepted the Tempo and apprehended the petitioner and co-accused Sunita Devi. On interrogation, they admitted their involvement in illegal works.

4. Learned counsel for the petitioner has submitted that the co-accused, who disclosed that the petitioner had extended threat and greed of money to make her sit in the Tempo, 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 Trafficking Act. 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 and the petitioner he is in custody in this case since 27.12.2024.

5. Learned counsel for the petitioner has produced a web copy of order dated 18.06.2025 passed in



Criminal Miscellaneous No.35956 of 2025, by which similarly situated co-accused Sunita Devi, has been granted bail by a coordinate Bench of this Court.

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

7. Considering the facts and circumstances of the case, the period of custody of the petitioner and also the fact that similarly situated co-accused has been granted bail by a coordinate Bench of this Court, this bail application is allowed.

8. The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten 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 that :-

(i) the petitioner is directed to remain physically present before the learned court below on each and every date fixed in the trial. Failure to remain present on two consecutive dates, 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.

**(Sandeep Kumar, J)**

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