

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71360 of 2024

Arising Out of PS. Case No.-805 Year-2022 Thana- PURNEA SADAR District- Purnia

Ajjo Khatoon @ Ajju Khatoon Wife of Late Kumar Govinda @ Govind Khalifa Resident of Mohalla-Ghosh Para, Abdulla Nagar, P.S.- Sadar, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Kumar Son of Siyaram Choudhary Resident of Village- P.S.- Belsand, Ward No. 6, Distt.- Sitamarhi at present posted as Officer in Charge Sadar District- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 09-05-2025 Heard Mr. Ram Prawesh Kumar, learned counsel

for the petitioner and Mr. Uma Shankar Prasad Singh, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 02.08.2024 in connection with Sadar P.S. Case No. 805 of 2022, F.I.R. dated 19.10.2022 for the offences punishable under Sections 346, 366(AA), 370(A), 372, 372, 376 and 120(B) of the Indian Penal Code, Sections 4/6 of the POCSO Act and Sections 3, 4, 5 and 6 of Immoral Trafficking Act.

3. According to prosecution case, on a secret information the informant raided the house of Ajjo Khatoon (petitioner) where victim girl was found and some illegal work



was going on. However, two persons managed to escape and one person was apprehended who told his name as Satya priya.

4. Learned counsel for the petitioner submits that petitioner is innocent and she has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Satya Priya against whom there is similar allegation has been granted bail by this Court vide order dated 18.04.2023 passed in Cr. Misc. No. 68445 of 2022. The petitioner is in custody since 02.08.2024. He further submits that statement of the victim was recorded under Section 164 of the Cr.P.C. / Section 183 of the BNSS in which she has not supported the case of the prosecution and she has not stated anything about the petitioner. And as per the medical report the victim was major.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one but fairly submits on the basis of paragraph



3 of the bail petition that the petitioner is on bail in both the pending cases.

6. Considering the aforesaid facts and circumstances that the victim has not supported the case of the prosecution and the similarly situated co-accused person has been granted bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 805 of 2022, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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