

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74217 of 2024

Arising Out of PS. Case No.-584 Year-2024 Thana- NAGAR District- Vaishali

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Minta Devi Wife of Vijendra Paswan @ Bijendra Paswan Village- Bibahalpur,
Ps- Bidupur, Dist- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjeet Kumar Gupta, Probationary Deputy Superintendent (PDSP) NA
Village- Hajipur, town, Dist- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 24-01-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Hajipur Town P.S. Case No. 584 of 2024 for the offence punishable under Sections 54, 143, 127(2), 64, 61(2) of the Bharatiya Nyaya Sanhita, 2023 read with sections 4,6,8,10, and 17 of the Immoral Traffic (Prevention) Act and sections 3,4,5,6 and 7 of the POCSO Act lodged on 11.08.2024 by the informant, Sanjeet Kumar.

3. As per the prosecution story, the informant alleged that upon knowledge of immoral trafficking/ illegal prostitution business going on in various hotels of Hajipur, the same were



raided. In course thereof, Arun Residential Hotel owned by one co-accused, Arun Sah @ Arun Kumar Sah, the Residential Hotel Shukla and Paras Residential Hotel were searched in which a number of customers/accused persons in Cr. Misc. No. 73583/2024 and others along with victims, XA, XB, XC were present. From the other places, YA, YB and ZA, ZB were also taken into custody alongwith so-called customers. Accordingly, the FIR came to be lodged against owners/managers/customers and those present were taken into custody.

4. Learned counsel for the petitioner submits that she is not owner of Paras Hotel and had gone to take food, got implicated. Further submission is that some of the co-accused have been granted relief in Cr. Misc. No. 75308 of 2024 (Gopal Pandey) and analogous cases, she has no criminal antecedent and is in custody since 11.08.2024 (para-19 of the petition).

5. Learned APP opposes the prayer stating that they are the king-pin behind the alleged occurrence/recovery of the minor.

6. This Court is disturbed on the happening that is taking place in the society particularly to the minor female child of the poor families who are lured by these ladies/accused allegedly pushing them into brothel house/sold to the orchestra.



7. However, considering the fact that the petitioner is a lady having no criminal antecedent, is in custody since 11.08.2024, in that background, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-Sixth cum Special Judge, POCSO, Vaishali at Hajipur, in connection with Hajipur Town P.S. Case No. 584 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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