

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88080 of 2024

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

Janki Devi D/O Kapileshwar Rai, W/O Ramvaran Ray Resident of Village-
Bangar Hashanpur, P.S- Chaklalse, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjeet Kumar Gupta Probationary Deputy Superintendent of Police, P.S-
Hajipur Sadar, Distt.- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Himanshu Ranjan, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-02-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Hajipur Town P.S. Case No. 584 of 2024 for the offences punishable under Sections 54, 143, 127(2), 64 and 62(2) of the Bharatiya Nyaya Sanhita and sections 3, 4, 5, 6 and 7 of the Immoral Traffick Act and sections 4, 6, 8, 10 and 17 of the POCSO Act, lodged on 11.08.2024 by the informant, Sanjit Kumar Gupta.

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, the Residential Hotel Shukla and Paras Residential Hotel were searched in which a number of customers/accused persons and others along with victims, XA, XB, XC were present. From the other places, YA, YB and ZA, ZB were also taken into custody along with 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 had gone to the restaurant but in the commotion that prevailed due to arrival of the police, were rounded off. It is the categorical submission that she had no role to play in the matter and do not own either of the three hotels. She has been picked up from Residential Hotel Shukla. Some of the similar accused persons have been extended relief in Cr. Misc. No.73583 of 2024 (Santosh Kumar Singh) and Cr. Misc. No. 73718 of 2024 (Arun Sah @ Arun Kumar Sah).

5. Learned APP for the State on the other hand opposes the prayer submitting that the police found her in the room and was indulged in immoral trafficking.

6. Considering the aforesaid submissions of the learned counsel for the petitioner, she claims to be present in the



Hotel, have no criminal antecedent, remained in custody since 11.08.2024 (paragraph no.4 of the petition) as also the fact that similar placed co-accused have been granted bail as incorporated above, this Court is inclined to extend her the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-VI-cum-Special Judge POCSO Hajipur at Vaishali 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 failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall in now 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 bail bonds.

(Rajiv Roy, J)

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