

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89563 of 2025

Arising Out of PS. Case No.-154 Year-2025 Thana- BALIYA District- Begusarai

Soni Devi W/o Late Ajay Khalifa @ Late K. B. Khalifa Resident of Village -
Mathurapur, Ward No. 6, P.S - Ballia, District – Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Ballia
P.S. Case No. 154/2025 registered for the offences punishable
under Section 61(2) of the B.N.S. and 3, 4, 5, 6, 7, 8 of Immoral
Traffic (Prevention) Act.

3. As per prosecution case, on the basis of secret
informant, the informant along with other police officials
conducted a raid near Dandari Dhala at Mathurapur. It is alleged
that some persons started fleeing away to see the police force
during which some persons succeeded to flee away and some
persons apprehended on the spot. It is further alleged that accused
persons were indulged in Immoral Traffic Act and some
incriminating materials were recovered from the place of
occurrence.



4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case on the basis of suspicion. Except suspicion, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. The petitioner is a lady. He further submits that there is no compliance of Sections 303 and 105 of B.N.S.S. The petitioner is languishing in custody since 14.09.2025 and bears three criminal antecedents in which she is acquitted in two cases and she is on bail in one case. The petitioner is not apprehended on the spot and no incriminating article has been recovered from the conscious possession of the petitioner. Seizure list has not been prepared as per law. He orally submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. On similar and identical allegation co-accused Manno Devi @ Mano Devi has already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No.82360/2025 and on the principle of parity the petitioner also deserves same treatment.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that the petitioner is FIR named accused and she cannot escape from the allegation made in the FIR.



6. Considering the facts and circumstances of the case, period of custody, petitioner is a lady, on similar and identical allegation co-accused has already been granted bail and argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate-Begusarai in connection with Ballia P.S. Case No. 154/2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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