

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26092 of 2015

Arising Out of PS.Case No. -110 Year- 2015 Thana -ARWAL District- JEHANABAD

Sanjay Kumar, S/o Bharat Verma, resident of village - Janakpur Dham, P.S. Arwal, District - Arwal

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

with

Criminal Miscellaneous No.26093 of 2015

Arising Out of PS.Case No. -110 Year- 2015 Thana -ARWAL District- JEHANABAD

- 1. Rakesh Kumar, S/o Rameshwar Singh @ Rameshwar Mukhiya, resident of village - Janakpur Dham, P.S. Arwal, District - Arwal
- 2. Sunil Kumar, S/o Kamla Prasad, resident of village - Bandhua, P.S. Tarari, District - Bhojpur

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

Appearance :
(In Cr.Misc. No.26092 of 2015)
For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Mukesh Kr.Singh(APP)
(In Cr.Misc. No.26093 of 2015)
For the Petitioner/s : Mr. Rakesh Singh, Advocate
For the Opposite Party/s : Mr. Mukesh Kr.Singh(APP)
CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-07-2015 Since both the criminal miscellaneous applications arise out of the same police station case, with consent of the parties, they have been heard together and are being disposed of by this common order.

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

The petitioners are in custody in a case registered under Sections 370, 370(1), 372, 373 of the Indian Penal Code, Sections 6/8 of POCSO Act and Sections 3, 4, 5, 7, 8 of Immoral Traffic Act.

The prosecution case, in brief, is that one Kanhaiya Singh, Police Inspector-cum-S.H.O., Arwal P.S. has constituted a raiding party and thereafter raiding party has rushed Janakpur Dham red-light area and raided several houses including the petitioners from where many girls have been recovered.

On behalf of the petitioner-Sanjay Kumar, it has been submitted that there is one criminal case. As far as petitioners Rakesh Kumar and Sunil Kumar are concerned, it is submitted that they have no criminal antecedents. The petitioner is in custody since 5.5.2015 and charge sheet has been submitted in the case. It is submitted that the petitioners have been implicated in the present case due to mistake of fact. It is further submitted that as far as Section 6/8 of the POCSO Act is concerned, it is not applicable in the present case. It is further submitted that the petitioners may be released after completion of five months in custody from 5.5.2015.

On behalf of the State, it is submitted that the

petitioners are named in the F.I.R.

Considering the aforesaid facts and the submissions, it is directed that the petitioners, above named, be released on bail after completion of five months in custody i.e., from 5.5.2015 on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Jehanabad, in connection with Arwal P.S. Case No.110 of 2015, G.R. No.1077/15.

(Sudhir Singh, J)

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