

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49726 of 2015

Arising Out of PS.Case No. -177 Year- 2015 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

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1. Md. Shahid Alam S/o Abdul Kalam R/o Vill. Nakchhed Tola, P.S. -
Motihari Town, Dist. - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Dr.Indiwar Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 06-11-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Chhatauni P.S. Case No. 177 of 2015 registered
for offences under sections 370/34 of the Indian Penal Code and
Section 3, 4, and 5 of the Immoral Traffic (Prevention) Act. The
petitioner is in custody since 17.08.2015.

From the First Information Report , it appears that Police
on information has raided Hotel Adya and recovered the petitioner
from room No. 101 alongwith a lady from Nepal namely, Anjali
Kumari. The petitioner has been put under Section 370/34 of the
Indian Penal Code and Section 3, 4, and 5 of the Immoral Traffic
(Prevention) Act, 1956.

The petitioner is claiming to have entered into the

compromise with the lady and also submitted that Shankar Sah from whose room a lady was also recovered has been granted bail by this Court vide order dated 05.10.2015 passed in Cr. Misc. No. 46738 of 2015 and another person Raja Babu has also been granted bail vide order dated 06.10.2015 passed in Cr. Misc. No. 46864 of 2015.

Looking to the facts and circumstances of the case, let the petitioner, Md. Shahid Alam be released on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champran, in connection with Chhatauni P.S. Case No. 177/2015, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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