

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9068 of 2015

Arising Out of PS.Case No. -566 Year- 2013 Thana -PIRBAHOR District- PATNA

Nasibur Rahman son of Late Shamshul Haque R/o village- Mehasi, P.S.-
Mehasi, District- East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Jha, Advocate.

For the Opposite Party : Mr. Shahin Begum (APP)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 09-07-2015 Heard learned counsel for the petitioner as well as
learned counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences punishable under sections 290 and 294 of the I.P.C and sections 3, 4 and 7 of the Immoral Traffic (Prevention) Act.

Allegedly, acting on a tip off raid was conducted and in Ganga Cyber Café four used condoms and three packets of men force condom were recovered and the shopkeepers stated that the Cyber Café is being used for immoral trafficking and further it reveals that the said Café is of the petitioner.

Submission is of false implication and that the petitioner has left the said Cyber Café long back and handed over

the same to one Sudhir Kumar and he has no concern with the said Cyber Café now. During investigation some of the witnesses have stated that it is being run by Rakesh Kumar and Sudhir Kumar and not by the petitioner and as such the petitioner deserves sympathetic consideration as he has got the Government job and he is doing his job peacefully having no criminal antecedent, to which the learned A.P.P. fairly submits that during investigation the witnesses have stated that the petitioner has left the Cyber Café one and half years back and it is being run by Rakesh Kumar.

In the facts and circumstances as stated above, considering that the petitioner has left the proprietorship of the said Café long back and as such the petitioner in case of his arrest or surrender within one month from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Patna in Pirbahore P.S. Case No. 566 of 2013, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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