

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41665 of 2016

Arising Out of PS.Case No. -82 Year- 2016 Thana -AGAMKUAN District- PATNA

Rajesh Kumar @ Rajesh Kishore Gupta, son of Nawal Kishore Gupta @
Nawal Kishore Saw, resident of Jogiya Toli, Ward No. 04, Phulwari Shariff,
P.S.- Phulwari Shariff, District- Patna, State- Bihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Singh, Advocate
Mr. Raghwendra Pratap Singh, Advocate
For the Opposite Party/s : Smt Indu Kumari Srivastava, APP

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

2 04-10-2016 Heard learned counsel for the petitioner and learned A.P.P.
representing the State.

The petitioner seeks bail in connection with Agamkuan P.S.
Case No. 82 of 2016 registered for the offences punishable under
Sections 290/34 of the Indian Penal Code and Sections 3(1)/ 3(2)/
4/ 5/ 6/ 7 of the Immoral Traffic (Prevention) Act, 1956.

Allegedly, the petitioner, after taking the house of Sri
R.S.B. Singh, a retired IAS Officer, on rent, was using the said
premises for immoral trafficking and the girls recovered stated the
name of this petitioner that he used to call them for immoral
trafficking. On search, several incriminating articles were
recovered, as per seizure list. It is also stated that the petitioner at

that time has gone to bring bear at Bhoothnath Road.

Submission is of false implication and that in this case the owner of the house has been allowed pre-arrest bail, whereas, several other co-accused have been allowed bail by the learned court below itself, the petitioner is suffering in custody since 23.04.2016, there is no material against the petitioner, nothing has been recovered from his possession and he has got no concern with the said flat and as such, petitioner deserves sympathetic consideration, as charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. opposes the prayer for bail.

In the facts and circumstances stated above, considering that the charge-sheet has already been submitted and there is no material to show that release of petitioner would influence the prosecution witness, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Additional Chief Judicial Magistrate, Patna City, Patna, in connection with Agamkuan P.S. Case No. 82 of 2016, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court

concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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