

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42040 of 2017

Arising Out of PS.Case No. -291 Year- 2017 Thana -AGAMKUAN District- PATNA

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Raghubar Singh @ Raghubar Narayan Singh, Son of Late Sunder Singh,
Resident of Mohalla-Jitendra Vilash Bhawan, Lalji Tola, Police Station -
Gandhi Maidan, District-Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva, Advocate

For the Opposite Party/s: Mr. Arun Kumar Singh -5, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Agamkuan P.S. Case No. 291 of 2017 registered under
Sections 290 read with 34 of the Indian Penal Code and Sections
3(i), 3(2), 4, 5, 6 and 7 of the Immoral Traffic (Prevention) Act,
1956.

It is submitted by the learned counsel for the
petitioner that as far as the offence against the petitioner is
concerned, the ingredients of Sections 4, 5, 6 and 7 of the



Immoral Traffic (Prevention) Act, 1956 are not attracted. It is submitted that there is no allegation that the petitioner was living on earning of prostitution or he had procured or induced any person for the sake of prostitution or was carrying the immoral act of prostitution in or in the vicinity of public place. He submitted that the house “karunagam” situated in Bhagwat Nagar, Pharmaceuticals colony consists of seven flats and in the said house, except one flat, all six flats were let out to different persons who are highly respectable persons in the society and they are living with their family. So far as the flat in question is concerned, the same was given on rent to accused Soni Devi in the first week of June, 2017 for residential purposes. He submitted that the petitioner was not at all aware of the illegal act of Soni Devi and, according to him, it is also admitted in the FIR itself that the petitioner was living at a distant place in Lohanipur, Patna.

Learned counsel for the State opposing the prayer for grant of pre-arrest bail to the petitioner. He has submitted that the allegation against the petitioner is that he was allowing his premises to be used by Soni Devi as brothel.

Considering the facts and circumstances of the case,



in the event of arrest or surrender in the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Patna City in connection with Agamkuan P.S. Case No. 291 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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