

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47700 of 2017**

Arising Out of PS.Case No. -110 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

=====

1. RAKESH KUMAR GUPTA @ RAKESH KUMAR S/o Late Jageshwar  
Sah R/o Station Road Hajipur, P.S. - Town Hajipur, District - Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mrs. Rina Sinha

For the Opposite Party/s : Mr. Iftekhar Mahmood

=====

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      12-10-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner seeks bail in connection with Town Hajipur  
P.S. Case No. 110/2017 for offences punishable under Sections  
114, 290, 370, 354, 509/34 of the Indian Penal Code, Sections 3,  
4, 5, 7 of the Immoral Traffic Act and Sections 4,6, 8 of the  
POCSO Act.

The prosecution case, as lodged by the police  
personnel, is that on confidential information S.K. Residential  
Hotel, Station Road, Hajipur was raided and from some of the  
rooms men and women in objectionable condition were  
apprehended. From the other rooms also some incriminating



articles have been recovered. Accordingly, a seizure-list was prepared. The allegation is that the petitioner, who is the owner of the hotel, along with manager Sunil Kumar has indulged in immoral trafficking.

It has been submitted by the learned counsel for the petitioner that he is innocent and has not committed any offence. He submits that he bears no criminal history and he had given the hotel on rent to one Sunil Kumar by way of an agreement, which is Annexure-2 to this application and the agreement was valid for 11 months beginning from 01.04.2016 till 28.02.2017 and the raid took place on 19.02.2017. He further submits that he was not present in the hotel premises as it was already given on rent and he had no knowledge of the illegal activities being prevalent in the said hotel. He is in custody since 27.08.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record and on perusal of Annexure-2, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-I cum



Special Judge, Vaishali at Hajipur, in connection with Town Hajipur P.S. Case No. 110/2017, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner.
- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

**(Nilu Agrawal, J)**

Rajesh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

