

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62992 of 2017

Arising Out of PS.Case No. -140 Year- 2017 Thana -RAJIVNAGAR District- PATNA

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1. Abhay Kumar, son of Suresh Prasad, Resident of Village- Malai Nahar, Chouk, P.S. Bairiya, District West Champaran, presently R/o Village Ward No. 7 Tola, Malahi Nahar Chouk, P.S. Bairiya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Sri Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with Rajiv Nagar P.S. Case No.140 of 2017 registered for the offences punishable under Sections 290 and 294 of the Indian Penal Code and Sections 3, 4, 5 and 6 of Immoral Traffic (Prevention) Act, 1956.

It is alleged that the petitioner is involved in immoral trafficking and he was apprehended on the spot by the police. It has been submitted that the petitioner has been falsely implicated in this case and there is nothing to show that the petitioner was involved in immoral trafficking. The other co-accused, namely, Anil Kumar has been allowed bail by one of the coordinate Bench of this Court in Cr.Misc. No.54429 of 2017 on 16.11.2017.



The case of the petitioner stands on similar footing. The petitioner is in custody since 09.06.2017 having clean antecedent.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna in connection with Rajiv Nagar P.S. Case No.140 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

Harish/-

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(Sanjay Kumar, J)

