

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72824 of 2018

Arising Out of PS. Case No.-575 Year-2018 Thana- TURKAULIYA District- East
Champaran

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Rakesh Kumar Sah @ Rakesh Kumar Son of Manager Sah@Mainejar Sah
Resident of Village- Jaysinghpur, Belghatti, Police Station- Turkauliya,
District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Sri Matloob Rab (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 17-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Turkauliya P.S. Case No. 575 of 2018
registered for the offences punishable under Sections 342,
120(B), 366 (B), 370 (2), 370 (3), 370 (5), 370 (A) (11), 372,
373, 376 and 34 of the Indian Penal Code, under Section 4, 5, 6,
7 (ii) (c), under Section 9 I.T. Act, under Section 12 of the
POCSO Act and under Section 75 and 26 of Juvenile Justice
(Care and Protection of Children Act), 2015.

Informant who is a police officer has stated in his
written complaint that on a secret information of human
trafficking and prostitution in the shadow of orchestra party, he



along with other police personnel raided the house of petitioner and recovered the victim girls and on the statement of the victim girls, he raided the house of co-accused and also recovered other victim girls.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has falsely been implicated in this case. The victim girl has not stated anything against the petitioner in her statement made under Section 164 of Cr.P.C. He possessed a valid license of running a musical group. He has no criminal antecedent and he is in custody since 04.09.2018. It has been further submitted that similarly placed co-accused has been granted bail by co-ordinated Bench of this Court in Cr. Misc. No. 72130 of 2018 vide order dated 04.12.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge cum Special Judge, East Champaran, Motihari in connection with Turkauliya P.S. Case No. 575 of 2018, subject to the condition:

- (1) Bailors should be local having sufficient



immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/Manoj-

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