

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15800 of 2018

Arising Out of PS.Case No. -13 Year- 2018 Thana -BODHGAYA District- GAYA

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Dhananjay Kumar, S/o kameshwari Prasad, R/o Village-
Nima, P.S.- Bodh Gaya, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Adv.

For the Opposite Party/s : Mr. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 05-04-2018 The petitioner seeks bail in anticipation of his arrest in connection with Bodh-Gaya P.S. Case No. 13 of 2018, dated 07.01.2018, instituted for the offences punishable under Sections 370 & 120(B) of the Indian Penal Code, Section 14 of the Foreign Act, 1946 and Sections 3, 5, 6 and 7 of Immoral Trafficking Act, 1956.

A hotel in Bodh-Gaya was raided on secret information that prostitution was going on in that hotel. The Manager of the hotel, sitting behind the counter, ran away on seeing the police party. However, two girls were found who disclosed the name of the petitioner and another who had



brought them in the hotel for the purposes of flesh trade. Hence, the First Information Report.

Mr. Vikram Deo Singh, learned Advocate for the petitioner has submitted that but for the statement recorded by the police that two girls who were found in the hotel had taken the name of the petitioner, there is no other material to connect the petitioner with the crime. Neither the petitioner is the proprietor/owner or the manager of the hotel in question. Some of the girls, who gave their statements under Section 164 of the Code of Criminal Procedure, 1973 have only alleged against the owner of the hotel, *viz.* Guddu and they have not taken the name of this petitioner. He has been, it has been argued, made accused by the police only because he happens to know the owner of the hotel, *viz.* Guddu. The implication of the petitioner and others is only for the purposes of pressurizing the other accused persons, who are concerned with the affairs of the hotel in question, to surrender to the process of law.

The petitioner does not have any criminal antecedent.

Considering the fact that the petitioner has not been arrested at the spot, but for his name find mentioned in the First Information Report, that also in the self-statement of the police, let the petitioner, above named, in the event of



his arrest or surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Bodh-Gaya P.S. Case No. 13 of 2018.

(Ashutosh Kumar, J)

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