

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8429 of 2018

Arising Out of PS.Case No. -651 Year- 2017 Thana -KAHALGAON District- BHAGALPUR

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1. Sonu Kumar, S/o Rajendra Mandal, R/o Village & P.S.- Ghogha, District- Bhagalpur.
2. Rajesh Mandal @ Rajesh Kumar @ Anand Bharti, S/o Rohin Mandal, R/o Village- Kusaha, P.S.- Ghogha, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 16-02-2018

Heard learned counsel for the petitioners and learned

APP for the State.

The petitioners seek bail in Kahalgaon P.S. Case No. 651 of 2017 registered under Section 3/4 & 5/6 of the Immoral Traffic (Prevention) Act, 1956, Section 37 (d) & 56 (e) of the Bihar Prohibition and Excise Act, 2016 and Section 372, 373, 506, 376 and 34 of the Indian Penal Code.

Accused Chanchala Devi is said to have been running the illegal flesh trade in her house in association with one Diwakar Kumar and two persons (petitioners) were apprehended along with two girls in objectionable stage and some incriminating articles were recovered from the said house.



It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners. They have no concern with the said occurrence. As a matter of fact, petitioners had gone to their relative accused-Chanchala Devi to invite her in the marriage, in the meantime the police raided the house and implicated them in the alleged occurrence. The recovered girls in their statement under Section 164 Cr.P.C. have not whispered anything about the petitioners. The aforesaid girls have not alleged any sexual assault committed against them by the petitioners. Petitioners are students and have been languishing in custody since 24.11.2017.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge of Excise Act, Bhagalpur in connection with Kahalgaon P.S. Case No. 651 of 2017.

(Prakash Chandra Jaiswal, J)

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