

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24338 of 2018

Arising Out of PS.Case No. -22 Year- 2018 Thana -MAHILA PS District- DARBHANGA

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Raju Kumar Jha, Son of Late Mahesh Kant Jha, Resident of Village- Ujan,
P.S.- Sakatpur, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 401, 372 and 373/34 of the
Indian Penal Code, Sections 3, 4 and 5 of Immoral Traffic Act and
Sections 30(a) and 37(c) of the Bihar Prohibition and Excise Act,
2016.

Petitioner is said to have made demand of a girl
from Mamta Devi on telephone who was engaged in the flesh
trade business and on over hearing the said call, police arrived at
the place of occurrence along with Mamta Devi and apprehended
the petitioner in inebriated condition from there.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern with any business of flesh trade or prostitution. He was not found with any girl at the time of occurrence. He has no concern with Mamta Devi. He never made any demand from said Mamta Devi. He has been falsely implicated in the case by the police at the instance of Mamta Devi. He never consumed any liquor and he happens to be teetotaler. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring confessional statement of the petitioner recorded before the police which has no evidentiary value in the eye of law. He has no criminal antecedent. He has been languishing in custody since 23.03.2018.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned 1st Addl. Sessions Judge cum Special Judge (POCSO Act), Darbhanga in connection with POCSO G.R. Case No. 08 of 2018 arising out of Mahila P.S. Case No. 22 of 2018.

(Prakash Chandra Jaiswal, J)

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