

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8308 of 2018

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1. Sunil Sah Son of Rajendra Sah Resident of Mohalla- Taranagar, Police Station- Kahalgaon, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Dr. Indivar Kumari

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

02 16-02-2018

Heard learned counsel for the petitioner and

learned APP for the State.

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

As per the prosecution case, wife of the petitioner, namely, Chanchalla Devi is said to have been running flesh trade in her house in association with Diwakar Sah and two couples were apprehended from the said house in objectionable condition besides some incriminating substances were also recovered 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 been falsely implicated in this case because he happens to be husband of Chanchalla Devi, he had no knowledge of running flesh trade in his house by his wife. His wife has also not disclosed the complicity of the petitioner in the said occurrence even in the written report itself. The victim girls recovered have also not named the petitioner in the occurrence rather the name of his wife Chanchalla Devi. They have also not stated about committing of any sexual assault against them by anyone. He has no criminal antecedent. He has been languishing in custody since 15.12.2017.

In the facts and circumstances of the case, 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 Special Judge Excise, Bhagalpur in connection with Kahalgaon P. S. Case No.651 of 2017.

(Prakash Chandra Jaiswal, J)

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