

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6218 of 2020**

Arising Out of PS. Case No.-391 Year-2018 Thana- RUPASPUR District- Patna

RAHUL KUMAR @ MANISH KUMAR Son of Anirudh Prasad Resident of
Village- Habanpura, P.S.- Rahui, Distt- Nalanda, at present Rukanupra, Near
Bakri Bazar, P.S.- Rupaspur, Distt- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jain, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 10-06-2020 This application has been placed for consideration by

the order of the Hon'ble the Chief Justice through virtual court
proceeding.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking regular bail
in connection with Rupaspur P.S. Case No. 391 of 2018 registered
for the offences punishable under Section 120(B) of the Indian
Penal Code and Sections 3, 4 and 5 of Immoral Traffic
(Prevention) Act, 1956.

Learned counsel for the petitioner submits that the
petitioner has not been arrested on the spot in this case. His
motorcycle was, however, parked in the premises when the Police
party raided the premises in question and on that basis as also on



the alleged statement of the co-accused that this petitioner along with the co-accused was running the brothel house, he has been made accused in this Case.

Learned counsel submits that the co-accused who were arrested on the spot and who have allegedly made self incriminating statements have already been granted bail. This petitioner has no criminal antecedent as stated in paragraphs '3', he has remained in custody since 14.10.2019, investigation against him is complete and as such he may be released on bail.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case wherein this petitioner was not arrested on the spot and the other co-accused who were arrested have already been granted privilege of regular bail, the petitioner has remained in custody for almost eight months, investigation against him is complete and it is not submission on behalf of the State that the release of the petitioner at this stage is in any way likely to adversely affect the course of trial, let the petitioner above named be released on bail in connection with Rupaspur P.S. Case No. 391 of 2018 on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction Smt. Tanveer Kaur, J. M. Ist Class, Patna, subject to the conditions as laid down



under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

avin/-rajeev

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

