

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12120 of 2020

Arising Out of PS. Case No.-872 Year-2018 Thana- KANKARBAG District- Patna

DEO CHARAN PRASAD @ RAM JATAN PRASAD Son of Late Bal Govind Prasad Resident of Ashok Nagar, Road No.8, Ram Lakhan Path, Police Station-Kankarbagh, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj Kumar, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 05-12-2020 Heard learned counsel for the petitioner and learned counsel for the State through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Kankarbagh P.S. Case no. 872 of 2018 registered under section 290 of the Indian Penal Code and sections 3, 4, 5 and 6 of the Immoral Traffic (Prevention) Act.

As per allegation in the FIR, on secret information having been received, a raid was conducted and from the flat while two persons managed to escape, it is stated that two females and one male were caught and it transpired that a brothel was being run. One of the ladies who was found there disclosed that she was a resident of Kolkata and had been



brought by one Rubi Devi and Harendra Manjhi.

It is submitted by learned counsel for the petitioner that so far as the petitioner is concerned, he has been falsely implicated in the case for the reason that he happens to be the landlord of the said house where the alleged occurrence is said to have taken place. It is submitted that it was only few months earlier that a portion of the four storied house had been rented to Rubi Devi and Harendra Manjhi. Even from the allegation in the FIR, the petitioner is in no manner involved with the alleged occurrence and on the relevant date he was posted as Assistant Manager in the State Bank of India at his place of his posting in District Sasaram. It is submitted that the petitioner has no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the submissions made on behalf of the petitioner, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Kankarbagh P.S. Case



no. 872 of 2018 he will be enlarged on bail on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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