

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24493 of 2020

Arising Out of PS. Case No.-167 Year-2020 Thana- SASARAM NAGAR District- Rohtas

SHYAM JI, Son of Shrikant Ojha, Resident of Mohalla- Takiya, P.S.-
Sasaram, District- Rohtas, Bihar-821115.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 27546 of 2020

Arising Out of PS. Case No.-167 Year-2020 Thana- SASARAM NAGAR District- Rohtas

VISHAL BAHADUR SINGH, S/O Late Shashikant Singh, R/O Village-
Karansarai Ward No. 14, P.S. Sasaram Town, District -Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 24493 of 2020)

For the Petitioner/s : Mr.Sanjay Kumar @ Manu

For the Opposite Party/s : Mr.Pranav Kumar

(In CRIMINAL MISCELLANEOUS No. 27546 of 2020)

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr. S. Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-11-2020 Heard learned senior counsel for the petitioners Mr. Krishna Prasad Singh assisted by Mr. Sanjay Kumar and learned APP for the State through virtual court proceedings.

The petitioners seek bail in a case registered for the offence punishable under Sections 290, 34 of the Indian Penal Code and 3(1), 3(2), 4, 5, 6, 7 of the Immoral Traffic



(Prevention) Act and 4, 16 of the Protection of Children from Sexual Offences Act.

The prosecution case is that as per FIR, on 02.03.2020 the informant got secret information that an illegal sex trafficking is being done by the manager of the Dhaba Kaimur and for the verification of the same the informant along with some police personnel reached there and in front of the two witnesses the hotel was raided and there they found six boys and six girls in compromising position and further got to know that the manager of the aforesaid hotel does the illegal sex trafficking in lieu of money. Those six boys along with the manager of the hotel total seven persons were arrested and their mobile phones were seized and the seizure list was prepared.

Learned senior counsel for the petitioners submits that the petitioners are quite innocent and have falsely been implicated in this case. The petitioner namely Shyam Ji is a student preparing for medical entrance examination and has enrolled himself in Career Point Institute, Kota for medical entrance preparation for the academic year 2019-20. He further submits that the petitioner namely Vishal Bahadur Singh is the owner of Dhaba hotel there is no material to establish under the Immoral Trafficking Act. He further submits that the police has not



recorded the statement of the girls. The petitioners are in custody since 03.03.2020 and have got no criminal antecedent.

Learned APP for the State opposes the prayer for bail petition and submits that I have gone through the case diary, the Investigation Officer has not recorded the statement of the girls and no medical examination was done by the doctor.

In the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 25,000/- (rupees twenty five thousand) each with two sureties of the like amount each in connection with Sasaram Nagar P.S. Case No. 167/2020, POCSO Case No. 28/2020 to the satisfaction of the learned Chief Judicial Magistrate, Sasaram at Rohtas.

(Anjani Kumar Sharan, J)

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