

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28605 of 2020

Arising Out of PS. Case No.-309 Year-2020 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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RAHUL KUMAR Son of Subhash Prasad Saw @ Subhash Pd. Sah Resident
of Mohalla - Barsaliganj, P.O.- Mirjanhat, P.S.- Mojahidpur, District -
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Pd. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-11-2020 Heard Mr. Praveen Kumar, learned counsel for the

petitioner and Mr. Rajendra Pd. Nat, Additional Public

Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
Kotwali (Jogsar) PS Case No. 309/2020 registered for the
offence punishable under Sections 3, 4, 5, 6, 7 and 9 of the
Immoral Traffic Prevention Act, 1956 and Sections 370, 370(A),
120(B), 376/34 of the IPC.

3. The allegation, as per First Information Report, is
that the police got confidential information that one Anil Sah @
Bablu Sah is indulged in the flesh trade in the house taken on
rent from one Neelam Devi. The police party proceeded towards
the place of occurrence and arrested Anil Sah @ Bablu Sah, his
wife, Anita Devi @ Hema Devi along with the petitioner, who



was found in a compromising position.

4. Learned counsel for the petitioner submits that from perusal of the FIR, it would be evident that the petitioner was allegedly found as one of the customers in the brothel and he has not committed any offence in the manner alleged. Learned counsel further submits that statements of the girls were also recorded under Section 164 CrPC, in which they have not disclosed anything against the petitioner. Learned counsel also submits that the co-accused, Anil Sah @ Bablu Sah and his wife Anita Devi @ Hema Devi, who were allegedly, running the brothel, have been granted bail by the learned court below itself.

5. Learned counsel for the petitioner further submits that the petitioner is in custody since 07.06.2020.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner is in custody since 07.06.2020, I am inclined to grant regular bail to the petitioner.

7. Accordingly, let the petitioner, RAHUL KUMAR be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Jogsar) PS Case No. 309/2020.



It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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