

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28904 of 2020

Arising Out of PS. Case No.-65 Year-2020 Thana- BAUSI District- Purnia

Md. Musa @ Md. Mosa aged about 53 years, son of Abdul Latib , resident of Sarsar, Baldoria, P.S.-Dalkhola, District- Uttar Dinajpur (West Bengal), Pin No.733201.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagannath Prasad

For the Opposite Party/s : Mr. Aditya Narayan Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2020 Heard Mrs. Vijaya Lakshmi Srivastava, learned counsel for the petitioner and Mr. Aditya Narayan Singh, learned counsel for the State through video conferencing.

Petitioner apprehends his arrest in connection with Baisi P.S. Case No. 65 of 2020 corresponding to Special Case No. 143 of 2020 registered for the offence under Section 370 (A) of the I.P.C., Section 3 / 4 / 5 / 6 / 7 / 8 of the Immoral Traffic (Prevention) Act, 1956 and Section 30 (a) / 41 / 47 of the Bihar Prohibition Excise Act, 2016.

The allegation as per the First Information Report is that Police on the basis of secret information that prostitution activity is going on in hotel Ashiana situated at Baisi, Purnea, proceeded towards the place of occurrence and arrested some of the accused persons along with two girls and also some objectionable articles. The petitioner is said to be the Manager of the hotel, who allegedly collects money from the persons involved in the immoral activity.



Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and has falsely been implicated in this case by merely adding his name in the list of accused persons and there is no statement in the First Information Report regarding the involvement of the petitioner. Learned counsel further submits that petitioner is not the Manager and he was a Night Guard of the said hotel and had left the job but he has falsely been implicated at the behest of his owner due to some dispute regarding the payment of wages to the petitioner. Learned counsel further submits that other accused persons have been granted regular bail by the Special Excise Court.

Having regard to the submissions made by the parties and taking into consideration the materials available on record and the fact that petitioner is named in the First Information Report, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the same is rejected.

praful/-

(Anil Kumar Sinha, J)

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