

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24435 of 2021**

Arising Out of PS. Case No.-269 Year-2020 Thana- BANMANKHI District- Purnia

TAROGNATH KOYEL @ TARAK NATH KAYAL S/o Sukumar Kayal R/o
Village- Golabati, P.S.- Raidighi, Distt- Sough 24 Pargana, West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 18-08-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Banmankhi P.S. Case No.269 of 2020 (Special POCSO Case No.73 of 2020), registered for the offence punishable under Sections 323, 353, 346, 367, 368, 370, 370(a), 372, 373, 376, 120(B) of the Indian Penal Code, sections 04, 06, 12, 17 of POCSO Act with sections 03, 04, 05, 06 ITP Act and section 75, 79 of J.J. Act.

The prosecution case in short is that police got



information that several minor girls have been brought from different part of India and Bihar for the purpose of indulging in prostitution by the FIR named accused namely Nizam @ Noor Alam and others. On such information, police raided the house of Nizam @ Noor Alam and other accused persons and rescued four minor girls from forceful flesh trading. Allegation against the petitioner is that he was caught as customer with one of the victim in objectionable condition.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. Charge sheet has been submitted in the present case. There is no eye-witness to the occurrence. The statement of the victims have been recorded u/s 164 Cr.P.C., in which they have not supported the fact of prostitution and none of them has alleged even a single word against the petitioner and they have clearly denied the allegation made in the FIR against the petitioner. No incriminating article has been recovered from the conscious physical possession of the petitioner. The petitioner has no criminal antecedent and has been languishing in custody since 19.10.2020.



Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Additional District and Sessions Judge cum Special Judge, POCSO Act, Purnia, in connection with Banmankhi P.S. Case No.269 of 2020 (Special POCSO Case No.73/2020).

(Anjani Kumar Sharan, J)

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