

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26961 of 2020

Arising Out of PS. Case No.-58 Year-2020 Thana- BAKHARI District- Begusarai

MANTOON NAT S/o Anandi Nat Resident of Ismail Nagar, Ward No.8, P.S.-
Bakhri, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate Ms. Preety Kunwar, Advocate Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar-II, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 26-03-2021 Heard Mr. N.K. Agarwal, learned Senior Advocate for the petitioner and Mr. Ajay Kumar-II, learned APP for the State.

The petitioner seeks bail in connection with POCSO Case No. 03 of 2020, arising out of Bakhri P.S. Case No. 58 of 2020 dated 08.02.2020 instituted for the offences under Sections 346, 366(A), 367, 370, 370(A), 372, 373, 376, 120(B)/34 of the Indian Penal Code, Sections 4, 6, 12 and 17 of the POCSO Act and Sections 46, 12 and 17 of ITPA Act, Sections 75, 80 and 81 of the J.J. Act and Section 37(C) of Bihar Excise Prohibition Act, 2016.

On a complaint made by one of the members of an private trust that the petitioner is keeping minor girls



in his house for the purposes of prostitution, a raid was conducted in his house and some girls were recovered. On being asked, those girls are stated to have told the police party that they were brought in at an early age by the petitioner and his wife and other associate of the petitioner and they were pressurized for prostitution. At the time of raid and arrest, the petitioner was alleged to be intoxicated.

Learned counsel for the petitioner has submitted that an absolutely wrong information has been provided in the FIR. One of the girls who is said to have been recovered from his house and who had spoken before the police that she was forcibly subjected to prostitution is none else but is the daughter of the sister of the petitioner who has been residing with him ever since her father died. Such is also the statement of the aforesaid victim/Rashi Kumari in her statement under Section 164 Cr.P.C.

Two of the accused persons of this case, though ladies, have been granted bail by different Benches of this Court.

The petitioner is in custody since 09.02.2020.

This Court had called for a report from the court below about the stage of the case. The report indicates that the charges have been framed but no



prosecution witness has not been examined up till now.

Regard being had to the period of custody of the petitioner, he is directed directed to be released on bail on his furnishing bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, Begusarai in connection with POCSO Case No. 03 of 2020, arising out of Bakhri P.S. Case No. 58 of 2020.

The release of the petitioner shall be subject to the conditions noted hereinafter:

One of the bailors of the petitioner shall be his close relative.

The petitioner shall not absent himself from the trial proceedings on two consecutive occasions without seeking prior permission of the trial court. Should he do so, the trial court will proceed for cancellation of his bail.

The petitioner shall not tamper with the evidence or shall intimidate any witness or shall do anything to impede the pace of trial. Should he be found doing so, it would be open for the Investigating Officer of this case to file a suitable application before the trial court for cancellation of his bail.

While furnishing bail bonds, the petitioner shall give his mobile telephone number as well as the mobile



telephone numbers of his bailors, which shall be kept in operative condition.

The petitioner shall also get his presence marked before the officer-in-charge of the concerned police station once every month, preferably on the first Monday. The officer-in-charge of the concerned police station shall not unnecessarily make the petitioner wait in the police station and shall immediately record his presence on his visiting the police station.

The petition stands disposed of with aforesaid directions/observations.

(Ashutosh Kumar, J)

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