

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36091 of 2021

Arising Out of PS. Case No.-78 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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RAKESH KUMAR Son of ANANDI PRASAD SAH RESIDENT OF
VILLAGE SURKIKAL WARD NO 26 THANA BARARI DISTRICT
BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Mirtunjay Kr. Nirala, APP.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2021 Learned counsel for the petitioner is permitted to

make correction in para-1 of the bail application in course of the

day.

Heard learned counsel for the petitioner and Sri

Mirtunjay Kumar Nirala, learned APP for the State.

Petitioner seeks bail in connection Kotwali

(Tilkamanjhi) P.S. Case no. 78 of 2021 registered for the offence

punishable under sections 370, 370A, 120B of the Indian Penal

Code read with sections 3, 4, 5 and 6 of the Immoral Traffic

(Prevention) Act, 1956.

Learned counsel for the petitioner submits that

petitioner is in custody since 03.02.2020 and is person with

clean antecedent and charge sheet has been submitted and from



perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that he had secret information that business of immoral traffic is taking place in the house of Anil Kumar Sinha in which Anil Sah @ Bablu Sah is the main culprit on whose instance sex racket is running. Accordingly it is alleged that house of Anil Kumar Sinha was raided and one person was found in an objectionable condition with one girl and in another room one more person was found in an objectionable condition with another girl and third person was trying to flee but was apprehended and they disclosed their names including the petitioner. The victims who were apprehended disclosed that Anil Sah @ Bablu Sah had brought them 2/3 days ago for the said purpose and Anil Sah @ Bablu Sah used to give Rs 800/- per customer. The informant seized several objectionable items and mobile from the possession of the petitioner. He submits that petitioner is not alleged to be person who was running sex racket and he was not found in an objectionable condition, further it is submitted that he was apprehended from the place of occurrence merely because he was present there.

Learned APP opposes the prayer for bail.

Considering the facts that petitioner is in jail custody



and is person with clean antecedent and charge sheet has been submitted, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur in Kotwali (Tilkamanjhi) P.S. Case no. 78 of 2021.

(Satyavrat Verma, J)

s.hassan/-

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