

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 37907 of 2020

Arising Out of PS. Case No.-102 Year-2020 Thana- TATARPUR District- Bhagalpur

MD SARFARAZ Son of Late Badruddin Resident of Tatarpur, P.S.- Tatarpur,
District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Praveen Kumar, Advocate

For the Opposite Party/s : Mr Md Arif, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

2 08-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Tatarpur Police Station
(for brevity, *PS*) Case No 102 of 2020 instituted for the offence
punishable under Sections 3, 4 and 5 of Immoral Traffic
(Prevention) Act.

It is the prosecution case that a raid was conducted in
the Hotel wherein the petitioner has been apprehended in
suspicious circumstances and the allegation is that the room was
being used for immoral trafficking.

Petitioner's counsel submits that the prosecution case
is false. Petitioner was a bona fide customer in the Hotel and
had no concern with the immoral trafficking carried on, if at all
from the hotel. The petitioner is now in custody since
27.07.2020. He is on bail in the earlier case pending against
him, as per disclosure made in paragraph 3 of the petition.



Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate VII, Bhagalpur in Tatarpur PS Case No 102 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

U		T	
---	--	---	--

