

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40239 of 2020

Arising Out of PS. Case No.-360 Year-2020 Thana- BHAGWAN BAZAR District- Saran

SAROJ KUMAR SINGH @ SAROJ SINGH Son of Late Dudhnath Singh
Resident of Village- Naini, P.S.- Chapra (Muffasil), District- Saran at Chapra
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-12-2021 Heard Mr. Rakesh Kumar, learned Advocate for
the petitioner and Mr. Dilip Kumar No. 1, learned APP
for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Bhagwan Bazar P.S. Case No.
360 of 2020 dated 17.08.2020 instituted for the
offences under Sections 3, 4, 5 and 8 of the Immoral
Traffic (Prevention) Act, 1956.

On secret information to the police that illegal
flesh trade is being conducted in a hotel, a raid was
conducted and many males and females in compromising
situation were found in the hotel. The petitioner is being
prosecuted in this case because he happens to be the
owner of the house in which the hotel is being run.

Learned counsel for the petitioner has



submitted that he had given the building on rent to one Sushil Sah for running the hotel. The petitioner did not have any idea that the hotel was being used for such immoral purposes.

However, looking at the fact that the petitioner earlier was made accused in a case of similar nature and not believing the explanation given by the petitioner that earlier also, the same person had taken the premises and had been running the hotel for which the petitioner was made accused in a case of similar nature but only on pressure of the people of the locality, he again gave the house on rent to the same person, I am not inclined to grant anticipatory bail to him.

Accordingly, the prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, his bail application shall be considered on its own merits without being prejudiced by the fact that the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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