

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 1304 of 2021**

Arising Out of PS. Case No.-286 Year-2020 Thana- KUDRA District- Kaimur (Bhabua)

AJAY KUMAR YADAV S/o Chandrama Yadav @ Chandrama R/o village-
Khelalpur, P.S.- Chaubeypur, District- Varanasi (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Pawan Kumar Singh, Advocate

For the Opposite Party/s : Ms Pushpa Sinha, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **23-03-2021** Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Kudra Police Station (for
brevity, PS) Case No 286 of 2020 dated 08.09.2020 instituted
for the offence punishable under Sections 372, 373, 366, 368,
327, 120B of Indian Penal Code and Sections 4/5 of Immoral
Traffic (Prevention) Act.

On confidential information, it is alleged that the
informant (police official) has gone to the National Highway
and saw the instant accused persons indulging in immoral
trafficking.

Learned counsel for the petitioner submits that from
perusal of the First Information Report, it is evident that the



police official has apprehended the accused persons only on suspicion. There is no allegation that any kind of immoral trafficking has taken place or it was likely or going to be committed. The petitioner has no criminal antecedent and is in custody since 09.09.2020. He was a professional driver and, thus, driving the car without any knowledge or nexus with the purpose of the journey. It is further submitted that co-accused Indraraj, Balu Ram, Mukhram, Chunnilal, Jitendra Singh @ Jitu and Manju Devi @ Gyatri Devi have already been granted bail by this Court in Cr Misc No 39405 of 2020 by order dated 11.02.2021.

Learned APP has opposed the prayer for bail.

In view of the aforesaid circumstances, 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 VI, Kaimur at Bhabua in Kudra PS Case No 286 of 2020 dated 08.09.2020 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./-

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