

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4711 of 2021

Arising Out of PS. Case No.-228 Year-2020 Thana- BODHGAYA District- Gaya

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SRIKANT KUMAR S/O JAWAHARLAL SINGH R/O VILLAGE NAILLI,
P.S.-MAGADH MEDICAL, DISTRICT-GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priyanka Singh, Advocate.

For the Opposite Party/s : Mr. S. Ehteshamuddin, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-04-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Bodhgaya P.S. Case No. 228 of 2020, dated 05.07.2020 registered for the offence punishable under Sections 370, 370-A, 373/34 of the Indian Penal Code, under Section 6 of the POCSO Act and under Sections 3, 4, 5 of the Immoral Traffic Act.

As per the prosecution story S.H.O, Bodh-Gaya on secret information that Manoj Yadav and his associates are assembled



for liquor party and call girls have also been called, raided the place of occurrence and arrested Manoj Yadav and others including the petitioner. Further bottles of wine and used and sealed packet of condoms were also recovered. It is further stated that two minor girls were also recovered from the place who told that they have been brought here by misleading them by Gitanjali Devi.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and he is neither the owner of the house nor he has organized the party. No such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case and the allegation against the petitioner do not make out any offence under the Indian Penal Code or POCSO Act or even under Immoral Traffic Act. He submits that from perusal of the statement under Section 164 of the Cr.P.C. reveals that there is contradictory to the facts from the FIR as well as medical report. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has been languishing in custody since 05.07.2020.



Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Bodhgaya P.S. Case No. 228 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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