

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9577 of 2021

Arising Out of PS. Case No.-147 Year-2020 Thana- TATARPUR District- Bhagalpur

Md. Ehsan @ Ehsan Akhtar NAIM AKHTAR Resident of Village- Musari
Tola, Bharsia Jhagruchak, P.S. Falka, district- Katihar ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Ranjan Kumar Dubey, Advocate

For the Opposite Party : Mr. R.Kumar Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-07-2021 At the outset learned counsel for the petitioner is permitted to correct the mentioning of police station in the prayer portion of the bail petition.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 3,4,5 of the Immoral Trafficking (Prevention) Act and section 8 of the POCSO Act.

As per the prosecution case, the petitioner was caught in a hotel room in objectionable condition with girls.

Learned counsel for the petitioner while denying the allegation submits that he is a student and had gone to Bhagalpur to purchase books and after becoming late, he stayed in Hotel where raid was conducted and he was arrested by the police. Petitioner has claimed clean antecedent and he is in custody since 7.10.2020. Investigation is complete.

Learned counsel appearing for the State opposes the prayer for bail.



Considering the rival submissions of the parties, materials available on the record and the fact that the petitioner is in custody for about a year, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special court II POCSO cum Additional Sessions Judge VII, Bhagalpur in Tatarpur Police Station Case No. 147 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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