

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7380 of 2022

Arising Out of PS. Case No.-120 Year-2021 Thana- TATARPUR District- Bhagalpur

Md. Tabraiz Khan @ Shahil Khan Son of Late Md. Umar Khan R/O Mohalla-
Jabbarchak, P.S.- Tatarpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 17-08-2022 Heard learned senior counsel appearing on behalf of
the petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

At the outset, learned counsel for the petitioner
submitted that in the cause title and in the bail petition,
inadvertently, name of the petitioner has been wrongly typed as
‘Shahid Khan’ instead of ‘Shahil Khan’.

Accordingly, learned counsel for the petitioner is
permitted to make necessary corrections during the course of the
day itself.

The petitioner seeks bail in connection with Tatarpur
P.S. Case No. 120 of 2021 registered for the offence under
Sections 370, 370(a), 120B and 34 of the Indian Penal Code and



Sections 3, 4, 5, 6 and 7 of Immoral Traffic (Prevention) Act.

The accused/petitioner is named in the F.I.R. and is in custody since 03.07.2021.

The allegation against the petitioner is to involve in trafficking of persons and exploitation thereof, having further allegations to run a brothel.

Learned senior counsel appearing on behalf of the petitioner submitted that nothing surfaced during the course of investigation, which may suggest that petitioner was involved in trafficking activities. It is further submitted that there is no inducement including giving or receiving of payment or benefits in order to achieve the consent of victim girl, alleged to be recovered from the house of the petitioner. It is also submitted that medical report of recovered victim girl is not supporting the allegations, as no evidence of recent sexual intercourse was observed. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.



Considering the facts and circumstances as mentioned above, as nothing surfaced during the course of investigation, which may suggest inducement including giving or receiving of payments or benefits, to connect the petitioner, *prima facie*, with the allegations coupled with the fact that petitioner is a man of clean antecedent, where chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Tatarpur P.S. Case No. 120 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bhagalpur/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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