

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13683 of 2022

Arising Out of PS. Case No.-598 Year-2021 Thana- SITAMARHI District- Sitamarhi

DILIP RAY Son of Babu Shankar Ray @ Shankar Ray Resident of Village -
Parsurampur Tole Kharbani, P.S. - Parsauni, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-07-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within one
month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the
offence punishable under Sections 376, 365, 366A and other allied
sections of the Indian Penal Code, sections 3, 4, 5, 6 of Immoral
Traffic (Prevention) Act, sections 4, 6 of POCSO Act and sections
75, 79 of J.J. Act.

As per allegation police got information that at the alleged
place some ladies were forcibly indulged in prostitution and
thereafter police raided the said place and caught this petitioner as
well as other persons being involved in the crime, minor girls were
also found, used and unused condoms and other objectionable
materials were found.



The main submissions advanced by the learned counsel for the petitioner are that petitioner is suffering from AIDS disease and his condition is not good and he has been languishing in jail since 29.7.2021. Further submission is that as per allegation made in the FIR petitioner was present at the alleged place as customer only said allegation is being made by the police and moreover, seven co-accused persons carrying similar and serious allegation have been considered for bail by a coordinate bench of this court vide orders passed in Cr. Misc. no. 68833/2021, Cr. Misc. no. 69486/2021, Cr. Misc. no. 63908/2021 and Cr. Misc. no. 53900/2021 and petitioner has got no criminal antecedent.

Learned APP opposes the prayer for bail.

Heard both sides and perused the FIR. At the alleged places activities of the prostitution were found, it appears from the FIR petitioner is simply stated to be present at the one place among the said places and the main allegation is against house owners of said places where said activity was found being committed and moreover, similarly situated co-accused persons were granted bail vide orders passed in the above mentioned miscellaneous cases.

Considering these facts as well as petitioner's clean antecedent mentioned at para 3 of the petition, petitioner also deserves privilege of bail. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions



Judge VI-cum- Special Court, POCSO, Sitamarhi in Sitamarhi P.S
Case No. 598 of 2021.

(Shailendra Singh, J)

s.hassan/-

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