

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36403 of 2021

Arising Out of PS. Case No.-31 Year-2021 Thana- NAWADA MUFFASIL District- Nawada

SUBODH KUMAR @ SUBODH SINGH S/o Late Rambriksh Singh R/o
village- Kendua, P.S.- Muffasil, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Ranjan, Advocate Mr. Man Mohan Kumar
For the Opposite Party/s	:	Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-01-2022 Heard learned counsel for the parties through video conferencing.

Petitioner seeks regular bail in connection with Muffasil P.S. Case No. 31 of 2021 registered for the offence under Sections 30(a) / 37 (c) / 41 of the Bihar Prohibition and Excise Act, 2016 and Sections 3 / 4 / 5 of the Immoral Traffic (Prevention) Act, 1956.

Prosecution case in brief is that Police on the basis of secret information that the co-accused / Rita Devi @ Bibha Devi was indulged in the immoral activities raided the premises taken on rent by Rita Devi @ Bibha Devi and arrested two persons and four ladies including the petitioner in suspicious condition. Police also recovered small bottles of illicit foreign liquor and the petitioner was found in drunken condition.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. He submits that



from perusal of the F.I.R. it would be evident that the petitioner was arrested as a customer and the co-accused / Rita Devi @ Bibha Devi, who was allegedly running the sex racket has been released on bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 33357 of 2021 and the petitioner is in custody since 29/01/2021.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that the co-accused / Rita Devi @ Bibha Devi has been granted bail by this Court, petitioner is in custody since 29/01/2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge II-cum- Special Judge, Nawada in connection with Muffasil P.S. Case No. 31 of 2021 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 in case of his absence on two consecutive dates without sufficient reason, his



bail bond shall be cancelled by the court below.

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

(Anil Kumar Sinha, J)

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