

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38420 of 2021

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

SINTU KUMAR Son of Late Jai Ram Singh Resident of Village- Kendua,
P.S.- Muffasil, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The 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.

The Prosecution case, as per the First Information
Report, is that the 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. The 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, and Subodh Kumar, have been granted bail by Co-ordinate Bench of this Court in Criminal Misc. Nos. 33357 of 2021 and 36403 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 and the fact that the co-accused persons have 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.

This application is, accordingly, allowed.

Let the petitioner, above named, 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 learned 2nd Additional Sessions Judge -cum- Special Judge, Nawada, in connection with Mufassil Police Station 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.)

Prabhakar Anand/-

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