

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43672 of 2021

Arising Out of PS. Case No.-72 Year-2021 Thana- SOHSARAI District- Nalanda

SHRAVAN KUMAR YADAV S/O Late Santosh Yadav R/O Village - Sohdi, P.S. - Sohsarai, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-02-2022 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Sohsarai Police Station Case No. 72 of 2021, registered for the offences punishable under Section 354 of the Indian Penal Code and Sections 3/4/5/6 of the Immoral Traffic Act.

The prosecution case, as per the First Information Report, is that the police got secret information that two male persons and one lady have been caught in the house situated in mohalla Jalalpur in compromising position, went to the place of occurrence where the villagers handed over the petitioner, one another person, namely, Punjabi Sharma and one lady, namely, Rinki Kumari, to the police. It has further been alleged that upon query, the lady, Rinki Kumari, told the police that the



house owner, namely, Sudhir Kumar, had called her by giving her promise to pay some money and left her with co-accused Shravan Kumar and Punjabi Sharma.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case and he has not committed any offence in the manner alleged. He further submits that the petitioner has not been arrested by the police in a compromising position; rather, he has been handed over to the police by the villagers with oblique motive. He, referring to the statement of the lady Rinki Kumari under Section 164 of the Code of Criminal Procedure (Annexure-2), submits that she disclosed that the house owner, Sudhir Kumar, had called her on the promise that she would be paid some money. He further submits that the petitioner is in custody since 06.04.2021, having no criminal antecedent and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that nothing objectionable has been stated by the lady Rinki Kumari in her



statement recorded under Section 164 of the Code of Criminal Procedure, charge sheet has already been submitted and the petitioner is in custody since 06.04.2021, 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. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nalanda, in connection with Sohsarai Police Station Case No. 72 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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