

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48842 of 2021

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

SUDHIR KUMAR Son of Late Ram Sawrup Prasad Resident of Mohalla-
Sohdih Gola, Jalalpur, P.S.- Soh sarai, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar No.1

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 28-04-2022 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 (petitioner), 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 is not the owner of the house in question; rather the same belongs to his brother. He further submits that co-accused Shravan Kumar Yadav has been granted bail by this Court vide order, dated 03.02.2022, passed in Criminal Misc. No. 43672 of 2021. 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 co-accused has been granted bail by this Court, 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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