

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49608 of 2021

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

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PANJABI SHARMA @ JITENDRA SHARMA Son of Jogindra Sharma
Resident of Village - Ibrahimpur, P.S.- Noorsarai, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishwa Bijay Kumar, Adv.

For the Opposite Party/s : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-02-2022 Heard Mr. Bishwa Bijay Kumar, learned counsel for

the petitioner and Mr. Dinesh Singh, learned Additional Public

Prosecutor for the State through video conferencing.

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, Shravan Kumar Yadav 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 petitioner and the co-accused Shravan Kumar Yadav.

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.

Learned counsel further submits that a similarly situated co-accused, namely, Shravan Kumar Yadav has been granted bail by this Court.



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 similarly situated co-accused, namely, Shravan Kumar Yadav 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.

Let the petitioner, PANJABI SHARMA @ JITENDRA SHARMA 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 Ashish Ranjhan, learned Judicial Magistrate, 1st Class, Bihar Sharif, Nalanda/ the court concerned in connection with Sohsarai Police Station Case No. 72 of 2021.

(Anil Kumar Sinha, J)

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