

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52779 of 2022

Arising Out of PS. Case No.-446 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

1. Gauri Shankar Vidharthi Son of Late Nand Kishore Prasad Resident of - Chakbandi Road Bhabua, Ward No. 10, Post and P.S.- Bhabua, District - Kaimur (Bhabua).
2. Shanti Devi W/o Gauri Shankar Vidharthi Resident of - Chakbandi Road Bhabua, Ward No. 10, Post and P.S.- Bhabua, District - Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-12-2022 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioners seek bail in connection with Bhabua
P.S. Case No. 446 of 2022 registered for the offence under
Sections 3, 4, 5(a), 6(1)(b) of the Immoral Traffic Prevention
Act 1956.

The accused/petitioners are named in the F.I.R. and
are in custody since 12.07.2022.

As per allegation set out through F.I.R., the premises
of the petitioners, which was given on rent to other co-accused



persons, was alleged to be used for immoral purposes, where on raid a man and a woman alleged to found in naked condition.

Learned counsel appearing on behalf of the petitioners submitted that petitioners are the owner of the alleged premises, which was given on rent vide agreement dated 30.06.2022. It is further submitted that nothing surfaced during the course of investigation, which may suggest active participation of these petitioners in alleged occurrence, who are husband and wife. While concluding the argument, it has been submitted that both petitioners are of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as petitioners are the owner of the alleged premises having no allegation towards active participation in alleged occurrence of immoral practices coupled with the fact that charge-sheet has been submitted, let both above named petitioners are directed to be released on bail in connection with Bhabua P.S. Case No. 446 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial
Magistrate, Bhabua/concerned court, subject to the conditions as
mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

U		T	
---	--	---	--

