

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67780 of 2021

Arising Out of PS. Case No.-399 Year-2021 Thana- GANDHIMAIDAN District- Patna

Pankaj Kumar S/o Sri Rajeshwar Rai Resident of Village- Nagwa, P.S.-
Vaishali, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Amresh Kumar Sinha, Advocate
For the State	:	Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

7 07-03-2022 The applicant/accused in Crime No. 399 of 2021 registered with Gandhi Maidan Police Station for the offences punishable under sections 3, 4 and 5 of Immoral Traffic (Prevention) Act, 1956, by this application is seeking regular bail.

Heard the learned counsel for the applicant. He submits that the applicant had taken the hotel on lease for a period from 2.2.2019 to 2.1.2020 and the incident in question took place on 18.8.2021. He is not concerned with the incident. As against this, the learned APP opposed the application by contending that the applicant was working as Director of the Dayal Hotel at which place by procuring women, prostitution was going on. The said premises were used as a brothel.

I have considered the submission so advanced and



also perused the material placed on record.

The subject crime is registered on the basis of the report lodged by the Police Officer of Gandhi Maidan police station of Patna. A team of police officials raided the hotel Dayal at exhibition road, Patna and found few women as well as men in the rooms of that hotel.

According to the prosecution case, the said hotel was being used as a brothel and the applicant as well as the co-accused were procuring women for the sake of prostitution and they were living on the earning of the prostitution. The investigation of the subject crime is over. The maximum punishment prescribed for the offences alleged against the applicant is that of seven years. The applicant is behind the Bars from 20.8.2021. The applicant is not having any criminal antecedent prior to the incident in question. Hence, I see no reason to refuse bail to him and therefore, the order.

I. The application is allowed.

II. The applicant/accused in Crime No. 399 of 2021 registered with Gandhi Maidan Police Station is directed to be released on bail on executing P.R. Bond of Rs. 10,000/- (Ten Thousand) on furnishing sureties of the like amount to the satisfaction of the trial court with the following conditions:-



(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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