

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70403 of 2021

Arising Out of PS. Case No.-529 Year-2021 Thana- FORBESGANJ District- Araria

=====

MOHAN DAS @ SURESH DAS Son of Munga Lal Das @ Ramjee Das
Resident of Village - Bhagwatpur, Ward No.- 8, P.S.- Chhatapur, District -
Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Mr.Mukesh Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Forbesganj P.S. Case No. 529 of 2021 for the offence punishable
under Sections 3(II)(a)(b) and Sections 4, 5 and 7 of Immoral
Traffic Act, 1956.

The prosecution story, in brief, is that a raid was
conducted in Alisha Rest House where females were engaged in
prostitution. Allegation against the petitioner is that he was
found in room no. 104 with one lady Gita Devi who has stated
before the police that she is married and the petitioner is her



friend.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. Neither the petitioner nor said Gita Devi were involved in illegal prostitution. The petitioner was a simple customer of the hotel and other co-accused who were also apprehended on the alleged date of occurrence, were also customers and one Mithu Kumar Yadav has been granted bail vide order dated 18.04.2022 passed in Cr. Misc. No. 60806 of 2021 by a co-ordinate Bench of this Court. Petitioner is in custody since 20.07.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court and the period of custody undergone by the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Forbesganj P.S. Case No. 529 of 2021, subject to the following conditions:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

mantreshwar/-

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

