

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5658 of 2023

Arising Out of PS. Case No.-405 Year-2022 Thana- BYPASS District- Patna

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KUMAR GAURAV S/O NATHO PRASAD R/o- Lakhochak (Lakhisarai),
P.S.- Keul, District- Lakhisarai

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends arrest in a case registered for the offence punishable under sections 370,371,372(II), 373/341 of the Indian Penal Code read with section 8 of Protection of Children from Sexual Offences (POCSO) Act, 2012, section 75 of the JJ Act, Sections 3,4,5,6 of the Human Trafficking Act and sections 16,17,18 of the Bonded Labour System (Abolition) Act.

Prosecution case is that on the raid conducted by the police, some girls were recovered including one Pooja Nandi who disclosed that all the girls are members of a orchestra group engaged in dancing and singing and petitioner is the owner of the said group.



Learned counsel for the petitioner submits that petitioner's name has figured during course of investigation in confessional statement of co-accused Puja Nandi who has only disclosed that the petitioner was organizer of the orchestra group and no wrong has been alleged against the petitioner. Moreover, there is no allegation in the FIR that the petitioner was indulged in trafficking of minor girls, as such, offences under the Human Trafficking Act is not made out against him. Petitioner has got no criminal antecedent.

Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge VII cum Exclusive Special Court POCSO, Patna in By-pass Police Station Case No. 405 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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