

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9565 of 2023

Arising Out of PS. Case No.-66 Year-2022 Thana- MAHILA PS District- Buxar

CHHATHTHU KUMAR S/O RAJENDRA PRASAD PASI R/v- Chousa,
P.S.- Buxar Muffasil, District- Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection with Buxar Mahila P.S. Case No.66 of 2022 instituted under Sections 419, 420, 376 of Indian Penal Code under Section 4/8 of POCSO Act and under Sections 3, 4, 5, 7, 9 of Immoral Trafficking Act 1956 lodged on 28.12.2022 by the informant Nirmal.

As per the FIR, on the basis of secret information regarding running or Sex racket, the informant with other police official raided the Hotel Anita, Hotel Paradise and Hotel Vishnavi situated on station road and apprehended many male and female including the petitioner from different rooms of aforesaid Hotels. Accordingly, the FIR.



It has been submitted by learned counsel for the petitioner that all the persons male/female arrested were above 18 years and in fact the ladies who were recovered from his room were 24 years old and as such under no circumstance POCSO Act will come into picture and further the two ladies have not made any allegation against him.

Taking into account the aforesaid facts as also that he is in custody since 29.12.2022 (as stated in para-10 of the petition) and do not have criminal antecedent, case lodged and ultimately he has to face the trial, this Court is inclined to extend him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Buxar Mahila P.S. Case No.66 of 2022 to the satisfaction of learned A.D.J. VI-cum-Special Special Judge POCSO Act at Buxar, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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