

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11007 of 2023

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

Pawan Kumar Choudhary, Son of Ram Ikbali Choudhary, R/V- Izari, P.S-
Buxar, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rang Nath Choubey, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-05-2023 Heard Mr. Rang Nath Choubey, learned counsel for
the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Buxar (Mahila) P.S. Case No. 66 of 2022 registered for the offences punishable under Sections 419, 420, 376 of the Indian Penal Code, Section 4/8 of the Protection of Children from Sexual Offences Act and Sections 3, 4, 5, 7 and 9 of the Immoral Traffic (Prevention) Act, 1956.

The police on a tip-off secret information regarding on going sex racket in some hotels at Buxar, conducted raid and the petitioner was apprehended from hotel Anita.

Submission has been made on behalf of the learned counsel for the petitioner that the petitioner was apprehended alone in a room and it is alleged that he was waiting for his



partner. Even as per the F.I.R. no case either under the Indian Penal Code or the Protection of Children from Sexual Offences Act is made out, apart from the fact that no offence is made out under the Immoral Traffic (Prevention) Act, 1956. Further submission has been made that the petitioner has absolutely clean antecedent and he is in custody since 28.12.2022.

On the other hand, learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the nature of offence, coupled with the period of custody, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Court, POCSO Act, Buxar in connection with Buxar (Mahila) P.S. Case No. 66 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.



(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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