

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26301 of 2023

Arising Out of PS. Case No.-1175 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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SUDHIR YADAV @ SUDIT KUMAR S/O DAROGI YADAV R/O Village-
Laldarwaza Mirchi Talab, P.S- Kotwali, Distt.- Munger (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
11.12.2022 in connection with Kotwali (Barari) P.S. Case No.
1175/2022, F.I.R. dated 10.12.2022, for the offences punishable
under Sections 370, 370A, 120B, 34 of the IPC, Sections 3, 4, 5,
6, 7 of Immoral Traffic Prevention Act and Sections 18C, 27(B)
(ii), 28, 28(A) and 36 of the Drugs and Cosmetics Amendment
Act.

According to prosecution case, it is alleged that the co-
accused, namely, Rukhsar along with the petitioner trapped the
girls on some pretext and got involved the girls in the work of
prostitution. On being searched the house of co-accused,
namely, Vikki Yadav, 131 bottle of prohibited cough syrup and



other articles have been recovered.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. as well as seizure list that police party raided the house of Vikki Yadav, who is cousin brother of the petitioner and the petitioner has gone to the house of the co-accused, namely, Vikki Yadav and police has arrested the petitioner. He further submits that nothing has been recovered from conscious possession of the petitioner and the co-accused, namely, Rukhsar @ Tamanna Praveen @ Rukhasar has been granted bail by the Co-ordinate Bench of this Court vide order dated 03.05.2023 passed in Cr. Misc. No. 7346/2023 and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 11.12.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released 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 learned Additional



Sessions Judge-I, Bhagalpur in connection with Kotwali (Barari) P.S. Case No. 1175/2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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