

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25122 of 2023

Arising Out of PS. Case No.-75 Year-2023 Thana- GAYA KOTWALI District- Gaya

Karan Kumar Son of Hipu Singh Resident of Village - Muhhalla, Ger, P.S. -
Muffassil, Distt. - Gaya

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh
For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 01-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. Surrender Certificate has been filed through
supplementary affidavit and same is on record.

3. The petitioner seeks bail in connection with
Kotwali P.S. Case No. 75 of 2023 registered for the offence
under Section 3, 5, 6 and 7 of the Immoral Traffic Act.

4. The accused/petitioner is named in the F.I.R. and
is in custody since 31.01.2023, where he was remain on
provisional bail from 04.05.2023 to 23.05.2023.

5. The allegation against the petitioner is to involve
in immoral practices, where on raid to one M/s Agarwal Guest
House petitioner and two others were found in compromising
position with females.

6. Learned counsel appearing on behalf of the



petitioner submitted that co-incidentally on the date of occurrence of alleged raid, petitioner booked two rooms in alleged guest house for celebrating his birthday party with his girlfriend. It is further submitted that petitioner is neither owner nor controlling authority of said guest house and as such the allegation, which appears against this petitioner is of bailable in nature. It is further pointed out that girls were found major, who nothing stated incriminating including sexual assault against this petitioner. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above, as alleged girls appear major who nothing stated incriminating against this petitioner, which may suggest, *prima facie*, that petitioner was involved in immoral practices coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 31.01.2023, accordingly, above named petitioner is directed to be released on bail in connection with Kotwali P.S. Case No. 75 of 2023 on furnishing



bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Court of Chief Judicial Magistrate, Gaya/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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