

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31794 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- LAURIA District- West Champaran

Raja Sah @ Raja Kumar Son Of Rajendra Sah Resident Of Village- Bakepatti
Majahua, Ps- Chautarwa Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate
For the Opposite Party/s : Ms. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 06-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Lauriya
P.S. Case No.34 of 2023 registered for the offence under
Sections 370, 371, 372(2), 373, 341 and 232 of the Indian Penal
Code, Section 8 of the POCSO Act, Section 75 of the J.J Act,
Sections 3, 4, 5, 6 of I.T.P Act and Sections 16, 17 and 18 of
Bonded Labour System Abolition Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 13.02.2023.

The allegation against the petitioner is to engaging
minor girls in his orchestra against their will and also to involve
in human trafficking.

Learned counsel appearing on behalf of the petitioner



submitted that the name of petitioner has been falsely implicated in present case for the reason that recovered victim girls while recording their statement under Section 164 of the Cr.P.C. nothing stated incriminating against this petitioner rather stated that out of their own sweet will they jointed orchestra of the petitioner due to their poor financial conditions. It is further submitted that nothing can be gathered to suggest that the acts of petitioner regarding performance of victim girls in orchestra was with sexual intent as raised through present F.I.R. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as victim girls negated allegation of trafficking including forceful employment, where sexual intent is also appearing absent as per statement of victim girls recorded under Section 164 of the Cr.P.C. coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 13.02.2023, accordingly petitioner, above named, is directed to



be released on bail in connection with Lauriya P.S. Case No.34 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge (POCSO), West Champaran, Bettiah/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

Presence of Investigating Officer of this case is dispensed with.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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