

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33011 of 2023

Arising Out of PS. Case No.-865 Year-2022 Thana- JAHANABAD District- Jehanabad

Satyendra Kumar @ Satyendra Sharma @ Satyendra Singh Son Of Late
Lalan Singh R/O Village- Birra, P.S.-Hulasganj, District-Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2

For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 370(A)/34 of the Indian Penal Code, sections 3, 4, 5, 6 of the Immoral Traffic Prevention Act and Section 8 of the POCSO Act.

As per prosecution case, the informant being a police official, after receiving a secret information of immoral trafficking, raided the Omkara rest house and Sheo Satya rest house in Alok Apartment. It is alleged that some boys and girls were found in compromising condition from the aforesaid rest house and several objectionable items were recovered from the room allotted to them. The petitioner is alleged to be owner of six of the rooms situated in Alok Apartment.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted vide para-6 of the petition the petitioner is owner of six rooms and a hall situated on the first floor of Alok Apartment over plot no. 711/311 at Mauza Airki but by an agreement dt. 13.7.2022 which has been executed on non-judicial stamp paper of Rs. 1000/-, the petitioner leased out the said premises for running Shiv Satya Rest House to one Nagendra Sharma. Moreover, similarly situated co-accused Alok Ranjan has already been granted bail by a co-ordinate Bench of this Court vide order dated 7.7.2023 in Cr. Misc. No. 37741 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 20.4.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner has got several criminal antecedents.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Jehanabad Nagar P.S. Case No. 865 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge POCSO Act, Jehanabad subject to following conditions:-

(i) one of the bailor should be family members 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 bond by the Trial court itself;

(ii) The petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

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

(Sunil Kumar Panwar, J)

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