

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45879 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- PURNEA SADAR District- Purnia

DIWAKAR THAKUR Son of Sri Upendra Thakur Resident of Garhbanaili
P.S. Kasba, District Purnea, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajan Prakash

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 346, 365, 376, 120(B) of the Indian Penal Code and Sections 3, 4, 5, 6 of the Immoral Traffic (Prevention) Act, 1956.

The prosecution case as per F.I.R is that the informant received a secret information that prostitution was being done by girls at a house situated near Railway Line in front of Mahamaya Colony, Rambagh. During the search of house, two girls were recovered from a room.



The girls who were recovered stated that they are made hostage since five days and were compelled for wrong work and one of the girls said that they brought them in the name of providing job in a beauty parlor.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner is not named in the F.I.R and his name subsequently sprang up on the confessional statement of co-accused Md. Asif. The petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the apprehended accused persons. The petitioner is languishing in custody since 03.02.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, other similarly situated co-accused has been granted privilege of bail by a coordinate Bench of this Court vide order dated 24.05.2023 passed in Cr. Misc. No. 29070 of 2023.



Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 106 of 2023.

(Sunil Kumar Panwar, J)

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