

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39009 of 2022**

Arising Out of PS. Case No.-25 Year-2016 Thana- CHHAURADANO District- East
Champaran

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Mahesh Thakur @ Maheshwar Thakur @ Ram Sagar Sharma @ Mahesh S/O
Ram Kishore Thakur @ Ram Kishore Sharma Resident Of Bakhari, P.S.-
Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mrs. Indu Kumari Srivastava

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 03-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for
grant of regular bail in connection with Chhauradano P.S.
Case No. 25 of 2016 registered under sections 370, 370(A)
of the Indian Penal Code and Sections 23, 26 of Juvenile
Justice Act.

The prosecution story in nutshell is that the
Battalian S.S.B. got secret information that the co-accused
has lifted some girls from West Bengal and kept in a house
near Chauradano Railway Station after that the informant
along with police personnel raided the house from where 7
girls, 2 boys and co-accused were recovered. The recovered



girls and boys told that co-accused forced them to dance and compelled to do other illegal act. On interrogation, the co-accused disclosed the name of petitioner thereafter this case has been registered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. It is further submitted that only on the basis of statement of co-accused Raj Kapoor, the name of the petitioner transpired in this case which has got no evidentiary value in the eye of law. It is further submitted vide para 13 of the petition that petitioner is neither the owner of the orchestra groups nor has any concern with the recovered girls. Similarly situated co-accused namely Raj Kapoor has already been granted bail by co-ordinate bench of this court vide order dated 8.9.2016 in Cr. Misc. No. 30535 of 2016. The petitioner is languishing in judicial custody since 23.04.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail.



The above named petitioner is directed to be enlarged on bail in connection with Chhauradano P.S. Case No. 25 of 2016 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional, Judicial Magistrate, Raxaul at Motihari, District- East Champaran.

(Sunil Kumar Panwar, J)

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