

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41907 of 2023

Arising Out of PS. Case No.-66 Year-2022 Thana- MAHILA PS District- Buxar

GAUTAM KUMAR Son of Guptaji Chaurasia Resident of village - Pandey
Patti, Near F.C.I. Godown, P.S.- Buxar (Town), District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with Buxar
(Mahila) P.S. Case No.66/2022, registered for the offence
punishable u/s 419, 420, 376 of the IPC and sections 4, 8 of
POCSO Act and sections 3, 4, 5, 7, 9 of Immoral Traffic
(Prevention) Act, 1956.

3. As per the prosecution case, on the basis of secret
information regarding Sex racket, the informant with other
police official raided the Hotel Anita, Hotel Paradise and Hotel
Vaishnavi, situated on station road and apprehended many male
and female from different rooms of aforesaid hotels.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. Petitioner is the son of



the owner of the hotel namely Anita Hotel and there is no specific overt act against the petitioner as the hotel was being run by the Manager. It is further submitted that one of the co-accused namely Anita Devi has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 22.06.2023 passed in Cr. Misc. No.14968 of 2023 and vide order dated 21.07.2023 passed in Cr. Misc. No.35936 of 2023. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that though the co-accused were granted anticipatory bail but the same was granted as the co-accused were ladies and only on their name, the hotels were running and there was no specific overt act against the said co-accused Anita Devi and Parvati Devi.

6. Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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