

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44259 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- SHEOHAR District- Sheohar

Anil Prasad Gupta Son Of Ramchandra Sah R/O Sheohar, Ward No.- 10, P.S.-
Sheohar, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The present case was taken on board out of term for
the reason as stated through mentioning slip.

3. The petitioner seeks bail in connection with
Sheohar P.S. Case No. 63 of 2023 registered for the offence
under Sections 3, 4, 5 and 7 of the Immoral Traffic (Prevention)
Act.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 11.05.2023.

5. The allegation against the petitioner is to indulge in
immoral trafficking alongwith other co-accused persons being
owner of the *Jay Bharat Rest House*, where on raid one male
and female were found in compromising position and also



recovered certain objectionable materials, description of which are available in the seizure list, which is the part of the F.I.R., itself.

6. Learned counsel appearing on behalf of the petitioner submitted that petitioner is the owner of the alleged rest house, whereas the daily affairs and administrative decisions were taken by his manger co-accused, namely Parasnath Patel. It is also submitted that after receiving information son of petitioner immediately arrived at the rest house and supplied all registers and information to the investigating agencies. 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.

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

8. In view of the facts and circumstances as mentioned above as implication of petitioner appears only being the owner of the *Jay Bharat Rest House*, where the administrative control is with manager, who is also co-accused in the present case, namely Parasnath Patel, coupled with the



fact that charge-sheet has already submitted, where petitioner is in custody since 11.05.2023, accordingly, petitioner, above named, is directed to be released on bail in connection with Sheohar P.S. Case No. 63 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 Chief Judicial Magistrate, Sheohar/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C. with further conditions :-

(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption



from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be deponent of the present bail petition.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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