

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55914 of 2021

Arising Out of PS. Case No.-24 Year-2016 Thana- MAHILA P.S. District- Patna

RAJESH KUMAR S/o LATE RAJENDRA PRASAD R/o MOHALLA-
WEST LOHANIPUR, P.S-KADAMKUAN, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 05-05-2023 Heard the parties.

This application has been filed for quashing of the F.I.R. registered as Mahila Police Station, Patna Case No. 24 of 2016 for the offences punishable under Section 290/34 of the Indian Penal Code and Section 3(1)/3(2)/4/5/6/7 of Immoral Trafficking Prevention Act, 1956.

As per the F.I.R., on 14.05.2016, the informant received a secret information regarding immoral trafficking in the house number 2M/88 at Bahadurpur Housing Colony in his jurisdiction and the said immoral trafficking was being conducted by one *Ashok Kumar* along with some of his associates. Then the informant intimated this information to the higher officials for proper action and for additional female constables. Again at 15:45 PM, the informant received the



information that one customer has already left and if the raid is not conducted soon then all the evidences will be destroyed by the accused persons. At about 15:50 PM, the informant along with police personnel raided the alleged house where they found one male and two female in compromising condition. They all were arrested and the man discloses his name as *Md. Sabir Hussain* and both female discloses their names as *Twinkal Mallik* and *Sayana Gupta*. Both the females while interrogation submitted that *Ashok Kumar* had called them for enjoyment against the payment of money. They further submitted that they were induced by *Ashok Kumar* for flesh trade on greed of huge money and on interrogation, *Md. Sabir Hussain* submitted that alleged flat belongs to one *Rajesh Kumar* (the petitioner) and *Ashok Kumar* has taken the said flat on rent from petitioner @ 20,000/- per month. On search, 27 condoms, two mobile set, cash, cigarette were seized from the possession of the arrested person.

It has been submitted by the learned counsel for the petitioner that the petitioner is the landlord and at the relevant time he had give the house on rent to one *Ashok Kumar* which is apparent from the rental agreement annexed as Annexure-2.

It has further been submitted by the learned counsel



for the petitioner that the petitioner is employed as Branch Manager in State Bank of Patiala, and on the date of occurrence he was posted at Sankhol Branch of the bank in Bahadurgarh, Haryana and during investigation also the investigation has been kept pending against the petitioner. The Chargesheet has been submitted against the other accused.

Learned counsel for the State has opposed the application of the petitioner.

Considering the fact that the petitioner is Branch Manager in State Bank of Patiala and had given his house on rent. No case is made out against the petitioner. This application is allowed and the prosecution of the petitioner in connection with F.I.R. of Mahila P.S. Case No. 24 of 2016 is hereby quashed.

It is clarified that the prosecution of all the other accused in connection with F.I.R. of Mahila P.S. Case No. 24 of 2016 shall continue.

(Sandeep Kumar, J)

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