

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56712 of 2023

Arising Out of PS. Case No.-737 Year-2022 Thana- NAGAR District- Vaishali

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AMITABH KUMAR @ AMIT @ GOLU @ GULLU @ AMIT AMITABH @
AMIT KUMAR son of Gopal Saran Village- Dighikala West, Ps-
Hajipursadar Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopesh Raj

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-09-2023 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 a case registered for the offences punishable under Sections 223, 120(b) of the Indian Penal Code and Section 5, 6, 7 of Immoral Traffic Act.

As per prosecution case, on the alleged date of occurrence on getting the information that petitioner is not present in the prisoners ward and he with the assistance of other police constables is doing illegal human trafficking, the informant reached at the spot where a lady along with few persons including petitioner were found in unwanted position.

It is submitted by learned counsel for the petitioner



that the petitioner is innocent and he has falsely been implicated in the present case. As per F.I.R., the lady herself has accepted that she with her sweet will was brought by someone Mr. Chandan Kumar on account of money, but she has not taken the name of petitioner in this case. The petitioner is a patient and a prisoner also, he was brought to the doctors ward in that night for chest pain. He was not aware of any such illicit affairs, he was waiting for his term in the doctors chamber, although he observed the presence of a lady in that room, he ignored it but the police arrived there and whole administration framed the accused as king pin in this case. He was threatened and forced by the police to accept the false charges of human trafficking. Being a prisoner he does not have any right and freedom in the captivity of police personnel to do anything illicit. It is also submitted that petitioner is languishing in judicial custody since 21.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be



enlarged on bail in connection with Hajipur Town P.S. Case No. 737 of 2022 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 J.M. 1st Class, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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