

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54921 of 2022

Arising Out of PS. Case No.-65 Year-2022 Thana- MAHESI District- East Champaran

1. Satyendra Sahani, Son of Sukhal Sahani, R/o Village- Ujhilpur, P.S.- Chakia, District- East Champaran.
2. Amarjeet Sahani, Son of Satyendra Sahani, R/o Village- Ujhilpur, P.S.- Chakia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 24-04-2023 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

The accused/petitioners are named in the F.I.R. apprehend their arrest in connection with Mehsi P.S. Case No. 65 of 2022 registered for the offences punishable under Sections 3, 4, 5, 6 of Immoral Traffic Prevention Act, 1956.

The allegation against petitioners, who are father and son is to involve in immoral practices to run a brothel under the garb of family restaurant alongwith other co-accused persons, where on raid, three women alongwith customers were



apprehended.

Learned counsel appearing on behalf of the petitioner submitted that allegation is false for the reason that the said restaurant was given on rent to one Harendra Prasad vide agreement dated 31.12.2021 and they have no connection with any alleged activities. It is also pointed out that GST number is also in the name of said Harendra Prasad. While concluding argument, it is submitted that both petitioners are men of clean antecedents and fact of the case suggest that no *prima facie* case is made out against them as alleged.

Learned APP opposes the prayer for grant of anticipatory bail and submitted that the apprehended women alongwith customers as per FIR, named these petitioners to run alleged brothel and also stated about their active participation.

Considering the aforesaid facts and circumstances, as FIR suggests the active participation of both petitioners in running of brothel under the garb of family restaurant, the prayer of anticipatory bail of above named petitioners are rejected herewith.

(Chandra Shekhar Jha, J)

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