

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31679 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- KHAGAUL District- Patna

Rahul Kumar, Male, aged about 23 years, son of Sarbind Kumar Saroj @ Sarvind Kumar Saroj, R/o Village- Paharpur, P.O. and P.S.- Judawanpur, Dist.- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Alok Ranjan, Advocate
For the Opposite Party : Mr. Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 11-07-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Khagaul P.S. Case No. 62 of 2024 dated 23.02.2024 registered for the offences punishable under Sections 341, 363, 370, 372, 120B/34 of the I.P.C. and Sections 75, 80 and 81 of the J.J. Act, 2015.

3. As per the prosecution case, on secret information, the police intercepted a car and a motorcycle and recovered a newly born child from the possession of the co-accused Usha Devi who was sitting in the car and the co-accused Sanju Kumari was sitting on the motorcycle. On interrogation, the co-accused Usha Devi said that she had taken the said newly born



child from the co-accused Dr. Parmanand Kumar, Proprietor of *Manipal Emergency Hospital*, Agamkuan, Patna and was going to deliver the same to another person. It is further alleged that on disclosure of the co-accused Usha Devi and the car driver Amit Kumar, the police alongwith other co-accused persons went to *Manipal Emergency Hospital*, Agamkuan, Patna, where the co-accused Archana Kumari, Rahul Kumar (petitioner) and one newly born child were found and on query they did not give any satisfactory reply. It is alleged that the petitioner and the co-accused persons were involved in the business of child trafficking.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that nothing has been recovered from the conscious possession of the petitioner rather the same is recovered from the nursing home. The petitioner is a student of GNM (Nursing) and is pursuing 2nd semester nursing course from VNS College of Nursing, Bhopal, M.P. and the petitioner approached Dr. Pramanand Kumar for doing his internship and while he was in custody his result for 2nd semester was published and he scored 73.71% marks and Ist Division. The other co-accused has been granted bail by a Bench of this Court



vide Cr. Misc. No. 34887 of 2024 under order dated 15.05.2024.
The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 24.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Danapur in connection with Khagaul P.S. Case No. 62 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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