

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32417 of 2024

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

Akash Kumar, (Male), aged about 19 years, Son of Lal Bahadur Shastri,
Resident of Koriyawan, P.S.- Janipur, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ghanshyam Tiwary, Advocate
For the Opposite Party : Mr. Chandra Bhushan Prasad, 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.

3. As per prosecution case, on secret information, police
intercepted a car and a motorcycle and recovered a newly born
child from the possession of the co-accused Usha Devi who
alongwith other co-accused Amit Kumar and Sangeeta Devi was
sitting in the car and the co-accused Akash Kumar who was
driving the motorcycle and the co-accused Sanju Kumari was
sitting on the said 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 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 the present case. It is submitted that the petitioner has no concern with the said *swift* car and he has only parked his motorcycle and thereafter the said car reached there and parked the same near his motorcycle. He was standing just nearby his motorcycle. No incriminating article has been recovered from the conscious possession of the petitioner. The said newly born child was recovered from possession of the co-accused Usha Devi. It is further submitted that the other co-accused Sanju Devi has already 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 application. The petitioner is in custody since 24.02.2024.

5. Learned A.P.P. for the State has opposed the prayer for



bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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 the learned A.C.J.M.-V, Danapur (Patna) in connection with Khagaul P.S. Case No. 62 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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