

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35487 of 2024

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

Sonu Kumar Son of Srikant Prasad @ Shreekant Prasad Resident of Village -
Milkipar (Narwa Milki), P.S. - Pali, District – Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sanjay Kumar Pandey No.5, Advocate
For the Opposite Party : Mr. Parmanand Kumar, 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 has preferred this application for grant of regular bail in connection with Khagaul P.S. Case No. 62 of 2024 dated 23.02.2024 registered for the offences punishable u/s 341, 363, 370, 372, 120B and 34 of the Indian Penal Code read with Section 75, 80 and 81 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

3. As per the 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 has 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. Thereafter, the informant and other officials went to the said *Manipal Emergency Hospital*, Agamkuan, Patna, where they found the co-accused Archana Kumari, Rahul Kumar and a newly born child and on disclosure of the co-accused Archana Kumari and Rahul Kumar, the informant also went to Dr. Parmanand and on query, Dr. Parmanand has said that both newly born child were received by him from Dr. Navin Kumar, Director, his friend Satish Kumar and the staff Sonu Kumar (petitioner) of *Devam Hospital*, Bakhtiyarpur for Rs. 1,10,000/-. Out of which, one newly born child was received by him from the co-accused Usha Devi for Rs. 90,000/-. Thereafter, the police went to the said *Devam Hospital*, Bakhtiyarpur, where he found the co-accused Satish Kumar and Sonu Kumar (petitioner) and from their possession, mobile was recovered. 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 this case. It is further submitted that the petitioner was working as a watchman and night guard in the said Devam Hospital, Bakhtiyarpur. The petitioner has no concern with the alleged offence. It is further submitted that as per the statement of Dr. Parmanand, the co-accused Navin Kumar and Usha Devi were involved in trafficking of newly born child. It is further submitted that no newly born child was recovered either from the conscious possession or possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.02.2024.

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 as well as the period of custody, 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, 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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