

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36556 of 2024

Arising Out of PS. Case No.-73 Year-2024 Thana- LAHERIMUHALLA District- Nalanda

Vijay Kumar @ Vijay Kumar Yadav Son of Chhote Prasad R/O Mohalla.-
Alamganj, P.S.- Laheri, Dist.- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-07-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 370 of the IPC and Sections 3,4,5,6 of the Immoral Trafficking Act, 1956 in connection with Laheri P.S. Case No.73 of 2024.

3. In compliance of the order dated 24.06.2024 the investigating officer of the case is present.

4. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and has been falsely implicated in the instant case by the informant.

5. It is next submitted that informant alleges that while he was in his office he got secret information that at Ramchandrapur Bus Stand at Shivam Hotel, prostitution



business is being done by the manager and owner of the hotel and two women were taken for the purpose of prostitution. Accordingly, the police reached the place of occurrence when one person who was sitting at the counter started fleeing, but he was apprehended and he disclosed his name as Rabindra Kumar and thereafter, on search certain objectionable materials along with smart mobile phones were recovered and from the mobile phone photographs of girls and Adhar cards were found and during the search of hotel two women were also found from two different rooms while the persons in the room fled.

6. The learned counsel submits that petitioner being owner of the hotel has been falsely implicated in the instant case. It is next submitted that petitioner had given the hotel on lease to one Ramprit Kumar who was running the business, as such petitioner was completely unaware that Ramprit Kumar was indulging in such activity. It is also submitted no prudent person would use his own business premises for committing such occurrence and thus would bring disrepute to his business.

7. The learned APP based on instruction of the investigating officer of the case submits that no material during the course of investigation transpired which could even remotely suggests that petitioner had given the hotel on lease to



Ramprit Kumar. It is also submitted that in the event if the privilege of anticipatory is granted to the petitioner, in that event the petitioner may abscond and tamper with the evidence, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.25000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Laheri P.S. Case No.73 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. However, in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself as and when required, in that event, the learned trial court shall be at liberty to cancel the bail bonds of



the petitioner.

10. It is further made clear that in the event if charge sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall loose its effect.

11. Let a copy of this order be sent to the concerned P.S. through the learned Trial court.

12. The personal appearance of the investigating officer of the case is dispensed with.

13. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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