

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45024 of 2024

Arising Out of PS. Case No.-90 Year-2024 Thana- BHAGWANPUR District- Vaishali

Pahari Singh @ Rajesh Kumar Singh, Son of Sheetal Prasad Singh, Resident of Bithauli, P.S.- Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Urmila Kumari, W/o- Abadh Bihari Choudhary, R/o of Vill.- Jamodh, P.S.- Piroo, District - Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 13-09-2024 Heard Mr. Vasant Vikas, learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Bhagwanpur P.S. Case No. 90 of 2024 registered for the offences punishable under Sections 372, 373 and 376/34 of the Indian Penal Code, Sections 4, 5, 6 and 7 of the Immoral Traffic (Prevention) Act, 1956 and Sections 6 and 8 of the Prevention of Children from Sexual Offences Act, 2012.

3. The allegation against the petitioner is of indulged in business of flesh trading and prostitution for the purposes of financial gain in his hotel. On raid, various incriminating materials have been recovered from the hotel of the petitioner,



apart from the customers and the ladies/girls.

4. Learned counsel for the petitioner contended that the hotel in question was handed over to Manager for regulating the business and to look after its day to day affairs. The petitioner was not knowing this fact that any illegal activity was going on in his hotel. It is next contended that none of the victims have alleged that the petitioner has played any active participation in the crime. The victims, who were apprehended from the hotel are major barring one and, in fact, they have not made any complaint that they were forcibly brought in the hotel for any illegal and immoral purpose.

5. On the other hand, learned counsel for the State vehemently opposed the bail application and submitted that the petitioner being owner of the hotel, his involvement for running the flesh trade and prostitution in the hotel cannot be ruled out.

6. Regard being had to the submissions made on behalf of the parties and considering the specific nature of accusation and the petitioner being the owner of the hotel, where the mass scale of flesh trade was going on; and various customers along with the victim girls were apprehended, this Court is not persuaded to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for bail of the petitioner stands



rejected.

7. Suffice it to say that, if the petitioner surrenders and seeks regular bail before the court below within a period of four weeks from today, the same shall be considered on its own merit without being prejudiced in any manner by the present order.

(Harish Kumar, J)

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