

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45676 of 2024

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

Manoj Kumar Sah @ Manoj Sah, son of Asharfi Sah, Resident of Village-
Terasia, ward no 4, P.S. - Ganga Bridge, Dist- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Urmila Kumari, D/o- Awadhbihari Choudhari, Village- Jamodhi, P.S.-
Jamodhi, Dist- Bhojpur

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 56015 of 2024

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

Harish Chandra Singh, Son of Late Janardhan Singh, Resident of Village-
Chainpur, P.S.- Goraul, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 45676 of 2024)

For the Petitioner/s : Mr. Ritesh Jha, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

(In CRIMINAL MISCELLANEOUS No. 56015 of 2024)

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 02-08-2024 Learned Advocates for the petitioners made a motion

before this Court that on account of urgency, both the matters

may be taken up today at 4:15 PM.

2. In view of the prayer made on behalf of the

petitioners, both the matters are taken up together and disposed



of by this common order with the consent of the parties.

3. Heard learned Advocates for the petitioners and learned APP for the State.

4. The petitioners seek regular bail, who are in custody in connection with Bhagwanpur P.S. Case No. 90 of 2024 registered for the offences punishable under Sections 372, 373, 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 Protection of Children from Sexual Offences Act, 2012.

5. The police on a secret information that in the guise of hotel business, activity of immoral trafficking is being carried out, conducted raid. In course of raid, several men, women and girls were apprehended. The petitioners are two of them.

6. Learned Advocate for the petitioners contended that so far the narrations made in the F.I.R., it suggests that petitioner Manoj Kumar Sah @ Manoj Sah (Cr. Misc. No. 45676 of 2024) was apprehended at the place of occurrence, as he is a cook and was returning from village Warishpur after cooking food in a party. However, so far as the petitioner Harish Chandra Singh (Cr. Misc. 56015 of 2024) is concerned, he is a labourer in the brick-kiln namely, Maa Kamla, Bricks and he was apprehended by the police while he was taking meal in the said hotel. The



petitioners have absolutely fair antecedent and they have become the victim of the circumstances. Learned Advocate for the petitioners also contended that other accused persons, having identical allegation, have been allowed the privilege of bail by this Court in Cr. Misc. No. 44628 of 2024 vide order dated 03.07.2024. Be that as it may, now the investigation of the crime is complete and charge-sheet has been submitted.

7. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioners were apprehended in the hotel, which was engaged for immoral trafficking and prostitution.

8. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that the petitioners have absolutely clean antecedent and they are in custody for about three months; moreover the case of the petitioners are based on parity, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIth-cum-Special Judge, POCSO, Hajipur Vaishali in connection with Bhagwanpur P.S. Case No. 90 of 2024, subject to the condition that one of the bailors will be the



close relatives of the petitioners with further conditions which are as follows:-

- (i) The petitioners will cooperate in conclusion of the trial.
- (ii) They will remain present on each and every date of trial till disposal of the case.
- (iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

(Harish Kumar, J)

uday/-

U		T	
---	--	---	--

