

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57459 of 2024

Arising Out of PS. Case No.-155 Year-2024 Thana- HARLAKHI District- Madhubani

Ranjeet Kumar Jha Son of Bishwa Nath Jha R/O Vill.- Kasraur, P.S.-
Ghanshyampur, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshul, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-08-2024 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Harlakhi P.S. Case No. 155 of 2024,
registered for the offence punishable under Sections 370,
370(A), 372, 373 and 120(B) of the Indian Penal Code and
Section 4/5 of Immoral Traffic (Prevention) Act.

3. Based upon the written report, the prosecution
alleges that while the informant along with other police
personnels were on duty at the check-post of Indo-Nepal Border,
in the meanwhile, they noticed a Scorpio vehicle bearing
Registration No. BR07P-5155, carrying 3 male persons along
with a women and 2 minor girls. On suspicion, the informant
intercepted the vehicle and tried to enquire their whereabouts, in



the meantime, one of the co-accused, namely, *Bhairav Jha* started fleeing away. On interrogation, the informant came to know that both the persons seated in the vehicle have given Rs. 15,000/- to one *Rani*, in lieu thereof, she sent a woman and 2 minor girls to accompany them for the purposes of prostitution. It is specifically alleged that the petitioner along with two other accused persons were found indulge in trafficking of 2 minor girls from India to Nepal.

4. Learned Advocate for the petitioner contended that the petitioner has no concern with the crime, in question, and on the alleged fateful day, while he was going to Janki Mandir, he took lift from co-accused *Bhairav Jha*, who happens to be his own villager. It is further contended that the petitioner happens to be *Mukhiya* of *Kasraur* village and said *Bhairav Jha* had also fought the election and finally defeated by the petitioner. During the interrogation, the driver of the Scorpio vehicle, namely, *Kunj Bihari Jha* has disclosed that it is co-accused *Bhairav Jha*, who had hired the vehicle and made a call to one *Rani*, who has allowed one woman and 2 minor girls to accompany him to Nepal. The police also recorded the statement of the minor girls and the woman, who were present in the Scorpio vehicle. None of them has even whispered a word against the petitioner that he



has any how persuaded the girl to accompany him or there had ever been prior acquaintance with them. The statement of the driver as well as the victim woman and the minor girls are part of the FIR. It is also contended that during the course of investigation, no material has surfaced suggesting that the petitioner has had any contact with said *Rani*, who has allowed the victim girls and woman to accompany *Bhairav Jha* nor anyone has disclosed about the complicity of the petitioner in the present crime. The petitioner bears fair criminal antecedent and now he has been incarcerated since 11.06.2024.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner was apprehended along with victim girls, who were being taken to Nepal for the purposes of prostitution and, as such, the complicity of the petitioner in trafficking of 2 minor girls and a woman cannot be ruled out.

6. Regard being had to the submissions made on behalf of the parties and considering the statement of the woman and 2 minor girls as well as the driver of the Scorpio vehicle, which do not speak about the involvement of the petitioner, coupled with the fact that even during the course of investigation, no material has come, *prima facie*, suggesting the



complicity of the petitioner in the present crime. Moreover, the petitioner bears fair antecedent and the investigation of the crime is complete, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – VIII, Madhubani in connection with Harlakhi P.S. Case No. 155 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He 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, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the



court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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