

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61246 of 2024

Arising Out of PS. Case No.-239 Year-2024 Thana- TRIVENIGANJ District- Supaul

Birbal Kumar Sinha @ Birbal Kumar Son of Amrendra Mehta @ Amrendra Kumar Mehta Resident of Village- Manganj East Ward No. 2, P.S.- Jadiya, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Adv
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 26-10-2024 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 Triveniganj P.S. Case No. 239 of 2024 dated 18.06.2024 registered for the offences punishable u/s 342, 370, 370A, 506 read with section 34 of the Indian Penal Code and Section 3, 4, 5 and 6 of the Immoral Traffic (Prevention) Act, 1956.

3. As per the prosecution case, on 18.06.2024 the informant received information that in the premises of the co-accused Prince Kumar @ Prakash Kumar, a racket of prostitution was going on. The informant reached the place of occurrence for verification of the said information. On being



searched the said premises, three male and three female persons were found in separate room and on interrogation the co-accused Prince Kumar disclosed that he is running a brothel house in his premises and the co-accused Anuplal Sardar, Birbal Kumar Sinha (petitioner) and Md. Nasim were regularly visiting here. It is further alleged that the co-accused Shanti Devi has brought girls and handed over to the co-accused Prince Kumar and they forced them for prostitution. Further a search was conducted, Rs. 11,460/- and one mobile phone were recovered from the conscious possession of the co-accused Prince Kumar and from the conscious possession of the co-accused Anuplal Sardar, Birbal Kumar Sinha (petitioner) and Md. Nasim one mobile phone from each of them was recovered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation against the petitioner rather the allegation of running brothel house is against the co-accused Prince Kumar with the assistance of the co-accused Shanti Devi. The recovered mobile phone belongs to the petitioner and no incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The



petitioner is in custody since 19.06.2024.

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 and the nature of allegation levelled against the petitioner, 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 Court concerned, Supaul in connection with Triveniganj P.S. Case No. 239 of 2024, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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