

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63123 of 2023**

Arising Out of PS. Case No.-21 Year-2023 Thana- MAHILA PS District- Jehanabad

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VIKRAM KUMAR @ VIKRAM SINGH S/o- VIJAY KUMAR Village-
Janakpur Ps- Arwal Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Murli Dhar,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-02-2024 Heard Mr.Ashok Kumar, learned counsel for the

petitioner and Mr.Murli Dhar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Arwal Mahila P.S.Case No.21 of 2023,FIR dated 13.05.2023 registered for the offences punishable under Sections 341,323,344,354,354-A,328,504 and 509/34 of IPC and Sections 3/5(A)(B)/6(1-A)(3-A) of Immoral Trafficking Prevention Act, 1956.

3. The informant Punam Chaudhary is SHO, Arwal Mahila P. S. who has alleged that on 13-05-2023, on getting confidential information that one girl belongs to State of Odisha has been brought at Janakpur Dham red light area for



prostitution by the father of the petitioner, namely, Vijay Kumar and his son Vikram Kumar (petitioner) and after receiving the said information, she along Magistrate and police forces along with other officials reached at red light area Janakpur Dham with Magistrate and police force after that seeing the police vehicle, so many girls started fleeing hither and thither and those apprehended girls were prevented by the ladies constable and all the girls have stated that they belong to State of Odisha and they were brought by the father of the petitioner and petitioner for dancing in Manorama and Rubi Theater and out of them, one girl disclosed her name as xxxx and she told that accused Vikram Kumar and Vijay Kumar brought to her from Odisha and she was dancing for their theater but owner of Manorama Theater namely Vijay Kumar and his son Vikram Kumar forced to indulge her into prostitution and on refusal, she was assaulted by them and they also forced to her for using Cigarette and Ganja etc. It is alleged that she wants to return her house and both the petitioners being father and son confined her and anyhow, she has informed to his family member and the police tried to arrest the girls and apprehended Vijay Kumar and Vikram Kumar but they left all girls and succeeded to flee away Thereafter, all girls have been brought at Police Station and



interrogated to her all along 15 girls, belongs to State of Odisha were brought for dancing work for which the case against the petitioner Vikram Kumar and his father Vijay Kumar has been registered.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. In fact one dancer, namely, Pushplata Swine had made an agreement with the Manorma Theater Music Company from 03.10.2022 to 03.10.2023 and as per agreement she is supposed to perform the dance in the said Company and due to some dispute with regard to the payment, the present FIR has been instituted against the petitioner and other co-accused persons and the petitioner is the son of the owner of the Manorma Theater Music Company and he has no concern at all with the affairs of the music company and during investigation nothing has come against the petitioner to suggest the involvement of the petitioner in the present occurrence and even the statement of the dancers /victims recorded under the Section 161 of Cr.P.C. in which they are not supported the case of the prosecution.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the



petitioner and submits that the petitioner is named in the FIR and there is specific allegation against the petitioner in the FIR.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Arwal in connection with Arwal Mahila P.S.Case No.21 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that 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/her



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

(Rajesh Kumar Verma, J)

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