

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73583 of 2024

Arising Out of PS. Case No.-584 Year-2024 Thana- NAGAR District- Vaishali

Santosh Kumar Singh Son of Mathura Prasad Singh @ Mathura Singh village
- Kaitukalakshi, Kaituka Lactichhi , P. S - Amnaur, District - Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjeet Kumar Gupta, PDSP, Hajipur Vaishali

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 73718 of 2024

Arising Out of PS. Case No.-584 Year-2024 Thana- NAGAR District- Vaishali

Arun Sah @ Arun Kumar Sah Son of Late Sagar Sah R/O Vill.- Chaatwara,
P.S.- Mahua, Dist.- Vaishali, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 73583 of 2024)

For the Petitioner/s : Mr.Hemant Kumar, Adv.

For the Opposite Party/s : Ms.Madhuri Lata, APP

(In CRIMINAL MISCELLANEOUS No. 73718 of 2024)

For the Petitioner/s : Mr.Mithlesh Kumar Gupta, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-10-2024 Since both the aforesaid petitions arise out of same

PS Case i.e., Hajipur Town PS Case No. 584 of 2024, they are

being heard and disposed of by a common order.

2. Heard the parties.

3. The petitioners are in judicial custody in connection

with Hajipur Town P.S. Case No.584 of 2024 for the offences



punishable under Sections 54/143/127(2)/64/61(2) BNS and 3/4/5/6/7 of Immoral Traffic Act lodged on 11.08.2024 by the informant, Sanjeet Kumar.

4. As per prosecution case, the informant alleged that upon knowledge of immoral trafficking/illegal prostitution business going on in various hotels of Hajipur, the same were raided. In course thereof, Arun Residential Hotel (owned by petitioner of Cr. Misc. No. 73718/2024), the Residential Hotel Shukla and Paras Residential Hotel were searched in which a number of customers/accused persons in Cr. Misc No. 73583/2024 and others along with victims, XA, XB, XC were present. From the other places, YA, YB and ZA, ZB were also taken into custody along with so-called customers. Accordingly, the FIR came to be lodged against owners/managers/customers and those present were taken into custody.

5. Learned counsel for the petitioner, Santosh Kumar Singh submits that he had only gone to inquire about the room tariff but was rounded off by the police and he has no criminal antecedent and remained in custody since 11.08.2024 (para-18 of the petition).

6. On the other hand, learned counsel for the petitioner, Arun Sah @ Arun Kumar Sah submits that though he



is owner of Arun Residential Hotel, he had given the same on rent to one Vinod Kumar on 27.05.2024 itself. He has no criminal antecedent and is in custody since 18.08.2024 (para-9 of the petition).

7. Learned APP opposed the prayer for bail of both the petitioners submitting that the police upon confidential information raided the place and the immoral trafficking/ illegal prostitution came to light.

8. The allegations are there, petitioner, Santosh Kumar Singh was arrested as customer, Arun Sah owns one hotel, which according to him, was leased out to one Vinod Kumar prior to the incident, both have remained in custody since 11.08.2024 and 18.08.2024 respectively, and they do not have criminal antecedents, in that background, this Court is inclined to extend them the privilege of bail.

9. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District Judge-VI-cum-Special Judge, POCSO, Hajipur, Vaishal in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member of



the petitioners who shall provide official document to show his bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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