

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75308 of 2024**

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

Gopal Pandey @ Gopal Panday Son of Ram kishore Pandey @ Raj kishore  
Pandey R/o vill - House No. 45, ward no. 9, Chain Brahm, Abulhasanpur @  
Paunihasanpur, P.O. - Paunihasanpur, P.S. - vaishali, Distt. - vaishali  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
**CRIMINAL MISCELLANEOUS No. 75487 of 2024**

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

Manju Devi W/O Amod Mahto R/O Village-Jalalpur, P.S.- Lalganj, District-  
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
**CRIMINAL MISCELLANEOUS No. 75918 of 2024**

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

Kallu Kumar S/o Dinesh Mallik R/o village- Madarpur Paithiya, P.S.- Hajipur  
Sadar, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjit Kr. Gupta, Probationary Deputy Superintendent of Police, Hajipur,  
Vaishali Bihar

... .. Opposite Party/s

with  
**CRIMINAL MISCELLANEOUS No. 76075 of 2024**

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

Vinod Kumar @ Vinod Kumar Paswan Son of Sakal Bhagat Resident of  
Village-Nawanagar, P.S.- Bidupur, District -Vaishali

... .. Petitioner/s



Versus

- 1. The State of Bihar
- 2. Sanjeet Kumar Gupta, Probationary Deputy Superintendent (PDSP) PDSP  
P.S.- Hajipur Town, District -Vaishali

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 75308 of 2024)

For the Petitioner/s : Mr. P.N. Shahi, Sr. Advocate

Mr.Amit Anand, Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

(In CRIMINAL MISCELLANEOUS No. 75487 of 2024)

For the Petitioner/s : Mr.Adil Abbas, Advocate

For the Opposite Party/s : Mrs.Pushpa Sinha, APP

(In CRIMINAL MISCELLANEOUS No. 75918 of 2024)

For the Petitioner/s : Mrs.Bela Singh, Adv.

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

(In CRIMINAL MISCELLANEOUS No. 76075 of 2024)

For the Petitioner/s : Mr.Ravish Mishra, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

**ORAL ORDER**

2      24-10-2024                      Heard Mr. Pushkar Narain Shahi, learned Senior Counsel for the petitioner, Gopal Pandey @ Gopal Panday (Cr. Misc. No. 75308/2024), Mrs. Bela Singh, learned counsel for the petitioner, namely, Kallu Kumar (Cr. Misc. No. 75918/2024), Mr. Adil Abbas, learned counsel for the petitioner, namely, Manju Devi (Cr. Misc. No. 75487/2024) and Mr. Ravish Mishra, learned counsel for the petitioner, Vinod Kumar @ Vinod Kumar Paswan (Cr. Misc. No. 76075/2024) and learned APPs for the State.

2.      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.

3. As per the prosecution story, 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 one co-accused, Arun Sah @ Arun Kumar Sah, 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.

4. Mr. Shahi, learned Senior Counsel has put forward the arguments on behalf of the accused persons duly assisted by Mrs. Bela Singh, learned counsel.

5. Learned Senior Counsel submits that so far as the petitioner, Gopal Pandey is concerned, he was having food in the Arun residential hotel, the police after apprehending him clubbed him as Manager of the said hotel whereas in the concluding portion, it records Vinod Sah as the Manager of the



same hotel. Actually, he was the customer but in the commotion, when everyone wanted to get out of the hotel upon arrival of the police, he was nabbed. The last submission is that he does not have criminal antecedent, he is in custody since 11.08.2024 (para-4 of the petition).

6. In the case of petitioner, Kallu Kumar (Cr. Misc. No. 75918/2024), again the submission of Mrs. Bela Singh, learned counsel for the petitioner is that he was also having food there as there is a Food Plaza in the Arun Residential Hotel, the police implicated him and is in custody since 11.08.2024 (para-13 of the petition) besides having no criminal antecedent.

7. Mr. Adil Abbas, learned counsel representing the petitioner, Manju Devi (Cr. Misc. No. 75487/2024) submits that she had arrived from Hajipur Railway Station with her niece to celebrate birthday little realizing that ultimately, she will land in the jail.

8. In the case of the petitioner, Vinod Kumar @ Vinod Kumar Paswan (Cr. Misc. No. 76075/2024), in the absence of learned counsel, Mrs. Bela Singh assisted this Court and submits that this petitioner was nabbed from Paras Residential Hotel and as per the petition, he has been picked from a place opposite Hajipur Railway Station and not from the



hotel. He also does not have criminal antecedent.

9. It has further been pointed out that some of the similarly situated co-accused persons have been granted bail which includes Santosh Kr. Singh in Cr. Misc. No. 73583 of 2024 and Arun Sah & Arun Kumar Sah in Cr. Misc. No. 73718 of 2024. Let the same be kept on record.

10. Learned APPs in all the cases, vehemently, opposed the prayer submitting that all the Owners/Managers/Customers/ladies were running sex racket in the three hotels near the Hajipur Railway Station and, as such, they do not deserve bail.

11. As recorded in the earlier petitions, the allegations are there, the cases of the petitioners are that they were customers having food in the restaurant present in the respective hotels, one of the petitioners claim that he was outside the hotel but he was picked up by the police, all of them are in custody since 11.08.2024 and do not have criminal antecedents, they will ultimately be facing trial, some of the co-accused persons as stated above, have been granted bail, 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, Vaishali 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 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;

(iv) 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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