

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74005 of 2024

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

Indrajeet Kumar son of Ravindra Ray Village- Jadhua P.S- Hajipur Town
District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 74112 of 2024

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

Madhuri Devi W/o Dinesh Sharma @ Dinesh Kumar R/o village- Sondho
Bazar Gulzarbagh, PS- Goraul, District- Vaishali, Daughter of Rajnath
Sharma, resides at village- Banauri, PS- Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 74005 of 2024)
For the Petitioner/s : Mr. Rakesh Kumar, Adv.
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP
(In CRIMINAL MISCELLANEOUS No. 74112 of 2024)
For the Petitioner/s : Ms. Bela Singh, Adv.
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-10-2024 Heard Mr. Rakesh Kumar, learned counsel for the

petitioner in Cr. Misc. No. 74005 of 2024 and Ms. Bela Singh in

Cr. Misc. No. 74112 of 2024 and the State.

2. The petitioners are in custody in connection with

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



punishable under sections 54, 143, 127(2), 64 and 61(2) of the Bhartiya Nyaya Sanhita, 2023 and Section 3, 4, 5, 6 and 7 of the Immoral Traffic Act, 1956 Indian Penal Code lodged on 11.08.2024 by the informant, Sanjeet Kumar.

3. As per the 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, the Residential Hotel Shukla and Paras Residential Hotel were searched in which a number of customers/accused persons along with victims, XA, XB, XC as also 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. Rakesh Kumar in Cr. Misc. No. 74005 of 2024 submits that he was visiting the restaurant to have food, as there was some commotion, he wanted to look into it and was implicated. He further submits that contrary to the FIR, where Rs. 2100/- was recovered from his possession beside the mobile. Subsequently, the police added that one condom has also been recovered only to implicate, he has no criminal antecedent and



is in custody since 11.08.2024 (para 4 of the petition).

5. In Cr. Misc. No. 74112 of 2024, the case of the lady is that she had no concern with the alleged prostitution nor has any such previous allegation/criminal antecedent, she was visiting the restaurant but was arrested alleging that she is running prostitution business. The last submission is that she is mother of minor children and is in custody since 11.08.2024 (para 13 of the petition).

6. The police raided the three hotels on the information about prostitution business being carrying on with the minor girls, arrested number of persons which led to the lodging of the F.I.R.

7. The investigation is going on, both these petitioners do not have criminal antecedents and have remained in custody, as stated above, one of the petitioner is a lady with minor children while the other claims to be visiting the restaurant, both of them have undertaken to diligently appear in trial, this Court is inclined to extend them the privilege of bail with conditions.

8. Let the petitioners 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 and Sessions Judge-VI cum Special Judge,



POCSO, Vaishali at Hajipur in connection with Hajipur Town
P.S. Case No. 584 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her 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 his 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 his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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