

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80456 of 2024

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

Satyendra Shah Son of Harendra Shah Resident of Village- Jalalpur Police
Station- Lalganj, Dist- Vaishali

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Sweety Sinha, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-11-2024 Heard Mrs. Sweety Singh, learned counsel for the
petitioner and the State.

2. The petitioner is 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 prosecution case, the informant upon knowledge of immoral trafficking/illegal prostitution business going on in three hotels of Hajipur, namely, Arun Residential Hotel, the Residential Hotel Shukla and Paras Residential Hotel, the same were raided and a number of customers/accused persons were found in inappropriate state/arrested.

4. Learned counsel for the petitioner submits that he



being a passenger was staying in the Residential Hotel Shukla little realizing that in the other room, something illegal is happening for which he has already suffered by being in custody since 11.08.2024 (para-22 of the petition) despite the fact that he has no criminal antecedent and has a family at home. Some of the similarly situated persons have been granted bail by this Court in Cr. Misc. No. 73583 of 2024 and analogous cases (Santosh Kumar Singh & Ors. V. the State of Bihar)

5. Learned APP opposed the prayer submitting that when the raid was conducted, he was found in one of the rooms.

6. The allegation is there, he was found in a room, was rounded off, is in custody since 11.08.2024 and 18.08.2024 respectively, they do not have criminal antecedents and some of the co-accused, as stated above, have been granted bail, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) 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 petitioner who shall provide official document to show his bona fide;

(ii) the petitioner 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 petitioner shall appear before the concerned police station every month for next six months to mark his attendance;

(iv) the petitioner 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 his bail bonds.

(Rajiv Roy, J)

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