

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81470 of 2024

Arising Out of PS. Case No.-90 Year-2024 Thana- BHAGWANPUR District- Vaishali

Pahari Singh @ Rajesh Kumar Singh @ Rajesh Kumar @ Rajesh Singh S/o
Sheetal Prasad Singh R/o Bithauli, P.S. - Bhagwanpur, Distt.- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Urmila Kumari D/O Abadh Bihari Choudhary R/O Village- Jamodhi, P.S. -
Peroo, Dist. - Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-12-2024 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Bhagwanpur P.S. Case No. 90 of 2024,
registered for the offence punishable under Sections 372, 373
and 376/34 of the Indian Penal Code and Sections 4, 5, 6 and 7
of the Immoral Traffic (Prevention) Act, 1956 and Sections 6
and 8 of the Prevention of Children from Sexual Offences Act,
2012.

3. The allegation against the petitioner is of indulged
in business of flesh trade and prostitution for the purpose of
financial gain in his hotel. On raid, various incriminating



materials have been recovered from the hotel of the petitioner, apart from the arrest of customers and the ladies/girls.

4. Learned Advocate for the petitioner contended that the hotel, in question, was handed over to the Manager for regulating the business and to look after its day to day affairs. The petitioner was not knowing this fact that any illegal activity was going on in his hotel. Earlier the petitioner had come before this Court for grant of anticipatory bail in Cr. Misc. No. 45024 of 2024, which came to be rejected by this Court on 13.09.2024. In compliance with the order of this Court, the petitioner immediately surrendered on 18.09.2024 before the jurisdictional Court. It is the contention of the petitioner that other co-accused person, who were also apprehended from the hotel, they have been allowed the privilege of regular bail by this Court. In support of the contention aforementioned, the bail orders of this Court have been placed on record as Annexure-P/3 series. The petitioner undertakes that he will fully co-operate in the proceeding of the Court and would not be indulge in such kind of activity in future.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the being the owner of the hotel, the petitioner must be knowing



every facts, apart from the fact that the petitioner bears two criminal antecedent over his head.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that investigation of the crime is complete and charge-sheet has been submitted, moreover, the petitioner happens to be owner of the hotel, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court of Additional Sessions Judge-VI-cum-Special Judge POCSO, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 90 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be



cancelled.

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

(Harish Kumar, J)

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