

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79544 of 2024

Arising Out of PS. Case No.-230 Year-2024 Thana- HARLAKHI District- Madhubani

Md. Jasim So. Md. Latif Resident of village - Silkare , P.S - Basopatti ,
District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash,Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-11-2024 Heard Mr. Ravi Prakash, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Harlakhi P.S. Case No. 230 of 2024 for the offences punishable under Sections 3/4/5/6 of the Immoral Traffic (Prevention) Act, lodged on 02.09.2024 by the informant, Shatrudhan Kumar.

3. As per the prosecution story, the informant upon secret information raided the house of the petitioner and found a male and two females in compromising position which led to the FIR.

4. Learned counsel for the petitioner submits that he was not arrested from the spot, the house belongs to him which was given on tenancy for which he has already suffered by



being in custody since 03.09.2024 (para-15 of the petition) having no criminal antecedent.

5. Learned APP opposes the prayer submitting that the accused persons were apprehended when the house of the petitioner was raided.

6. Considering the submissions put forward by the parties as also the fact that he was not arrested when the police raided the house, has no criminal antecedent, has remained in custody since 03.09.2024, 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 Judicial Magistrate 1st Class, Benipatti, District- Madhubani 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 petitioner 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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