

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84224 of 2024**

Arising Out of PS. Case No.-578 Year-2024 Thana- FORBESGANJ District- Araria

Pintu Kumar @ Pintu Kumar Ray S/o Kapildeo Rai Resident of village-
Nathpur, Ward no 04, police station- Narpatganj , District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-12-2024 Heard Mr. Ramesh Kumar Singh, learned counsel for
the petitioner and the State.

2. The petitioner is in judicial custody in connection with Forbesganj P.S. Case No. 578 of 2024 for the offence punishable under Sections 64, 319(2), 318(4), 61(2), 3(5) of B.N.S. (419, 420, 120-B, 34 I.P.C.) and section 4,5,6 & 7 of Immoral Trafficking Act, 1956 lodged on 14.09.2024 by the informant, Simpi Kumari.

3. As per the prosecution story, the informant upon secret information that in Alisha Rest House (for short 'the Rest House'), the immoral trafficking business is going on. She alongwith other police personnel raided the 'the Rest House' and apprehend one Sahid Ansari, the owner of 'the Rest House' as also two male and a girl in a compromising condition in the room. Accordingly, the FIR.



4. Learned counsel for the petitioner submits that though in the Cr. Misc. No. 84083 of 2024 (Sahid Ansari vs. the State of Bihar), this Court has called for the case diary, the present case is different from the earlier case inasmuch as in the earlier case, the said petitioner was Owner/Manager of 'the Rest House', in the present case, as there was heavy rain, just to save himself, the petitioner entered the reception counter, the Police was present and nabbed him, implicated, putting him in the category of accused. He is a clean man having no criminal antecedent. Further, in any case, the lady present in the room was a major and she has not made any complaint against him. The last submission is that he is in custody since 15.09.2024.

5. Learned APP opposes the prayer submitting that he was present in the room with a lady when the Police knocked the door and accordingly, he has been made accused.

6. Considering the aforesaid submissions put forward by the parties and considering that the FIR is there against him, he will be facing the music, is in custody since 15.09.2024, an *alibi* has been taken, as stated above, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner 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 Chief Judicial Magistrate, Araria, in connection with Forbesganj P.S. Case No. 578 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative 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 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 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)

Ravi/-

U		T	
---	--	---	--

