

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86109 of 2023**

Arising Out of PS. Case No.-677 Year-2023 Thana- SITAMARHI District- Sitamarhi

Hanuman Kumar Son of Bhagawan Rai, Resident of Village - Dumra, Ward
No.44, P.S. - Dumra, District – Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate.

For the Opposite Party/s : Mr. Harendra Prasad, APP.

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

2 16-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Sitamarhi (Mehsaul O.P.) P.S. Case No.677 of 2023, registered for
the offences punishable under Sections 366(A), 363, 365, 370,
372, 373, 376 & 120(B) of the Indian Penal Code and under
Sections 3, 4, 5 & 6 of Prevention of Immoral Trafficking Act and
under Sections 4, 8 & 12 of POCSO Act.

3. As per the prosecution case, petitioner in connivance
with other accused persons are indulged in immoral trafficking.
On 30.08.2023 Mini Taj Hotel was surrounded by the Police and a
raid was conducted in the hotel's room from which three male
accused persons including the petitioner and one girl were
arrested. Victim girl came out from the room in weeping position



and disclosed to the Police that she was forced by the petitioner for prostitution.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to ulterior motive of the Police in connivance of the local villager. He further submits that nothing incriminating has been recovered from the room allegedly from where they have been caught or from the possession of petitioner except his Mobile phone. He also submits that the alleged recovered girl has not supported the prosecution version in her statement recorded under Section 164 of Cr.P.C. He further submits that petitioner is in custody since 30.08.2023 and he has one criminal antecedent in which he is on bail. He next submits that similarly situated co-accused Raja Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 08.01.2024 passed in Cr. Misc. No.84436 of 2023.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Sitamarhi in connection with Sitamarhi (Mehsaal
O.P.) P.S. Case No.677 of 2023.

(Sunil Dutta Mishra, J)

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