

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15656 of 2025**

Arising Out of PS. Case No.-3 Year-2025 Thana- JALALPUR District- Saran

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Anand Kumar, aged about 39 years (Male), Son of Jainath Singh @ Jaynath Singh, Resident of Village- Ganeshpur Sukrauli, P.S.- Hatta, District- Kushinagar, Uttar Pradesh at present Resident of Puja Orchestra, Dharan Bazar, P.S.- Jalalpur, District- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : M/S. Arun and Anjani Parashar, Advocates
For the Opposite Party : Mr. Yogendra Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 01-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Jalalpur P.S. Case No. 03 of 2025 dated 06.01.2025 registered for the offences punishable under Sections 143, 145 of B.N.S., Section 8 of the POCSO Act, Sections 75 and 79 of Juvenile Justice Act, Sections 3,4,5 and 6 of Immoral Traffic (Prevention) Act and Sections 16, 17 and 18 of Bonded Labour System Act.

3. As per the prosecution case, on 06.01.2025 at about



10.00 A.M., the police alongwith other officials raided the Director of 'Puja Orchestra' and recovered three minor girls who have been confined in a room. It is further alleged that during the course of interrogation, they disclosed that the petitioner brought them for the purpose of performing dance in the orchestra and the petitioner forcibly tortured them and made pressure to dance on indecent songs.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the police demanded Rs. 40,000/- monthly from the petitioner for running orchestra business in the said area and on non-fulfillment of the same, the petitioner has falsely been implicated in the present case. It is further submitted that the real fact is that the said girls who were rescued are not the minor rather they are above eighteen years of age. One of the girls, namely, Astha Kumari, is a married girl and when she was sleeping with her husband in the room, police apprehended her showing her age as minor. It is further submitted that the husband/parents of the rescued girls have duly consented their daughters to work in the orchestra. There is no allegation of any sexual assault against the petitioner. There is no statutory compliance of Sections 100 and 101 of the



B.N.S.S, 2023. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 06.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Additional Sessions Judge (POCSO), Saran at Chapra in connection with Jalalpur P.S. Case No. 03 of 2025 with further conditions:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

II. One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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