

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23288 of 2025

Arising Out of PS. Case No.-921 Year-2024 Thana- JAHANABAD District- Jehanabad

Awadhesh Kumar @ Awadhesh Singh Son of Late Kameshwar Singh
Resident of Village - Korauna @ Karauna, Police Station - Korauna in the
district of Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nilesh Kumar Chaurasia, Executive Magistrate, Jehanabad. Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-07-2025 Heard Mr.Sunil Kumar, learned counsel for the

petitioner and Mr.Ram Priya Sharan Singh, learned A.P.P. for

the State.

2. The petitioner is apprehending his arrest in
connection with Jehanabad Town P.S. Case No. 921 of 2024,
F.I.R. dated 21.11.2024 registered for the offence punishable
under Sections 144,3(5),61(2) of Bhartiya Nyay Sanhita, 2023,
Section 3,4,5,6 of Immoral Trafficking Act and Section 8,16 of
POCSO Act, 2012.

3. As per the First Information Report, police on
secret informant that act of immoral trafficking is going on in
Madhuban Guest House, reached there and several girl and boys
were apprehended as they were involved in the same.



4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and apart from that, the statement of the victim under Section 164 of Cr. P.C./Section 183 of BNSS, 2023 was recorded in which she has not stated anything about the petitioner and co-accused person, namely, Nagendra Kumar @ Dablu @ Dabla, who is Manager of Madhuban Guest House, has been granted privilege of anticipatory bail by this Court vide order dated 23.04.2025 passed in Cr. Misc. No.18496 of 2025 and co-accused person, namely, Tinku Kumar has been granted bail by this Court vide order dated 20.06.2025 passed in Cr. Misc. No.22971 of 2025 respectively.

5. Learned A.P.P. for the State, on the other hand, on the basis of the material available on the record and the case diary, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that it has come during investigation in paragraph-48 and 84 of the case diary that the petitioner is owner of the Guest House in question and apart from that paragraph-84 of the case diary also suggests that he has



forcefully occupied the Guest House in question and he is also indulged in the present crime in question and petitioner has forcefully occupied the Guest house in question which belonged to the brother of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and similarly situated co-accused persons have been granted privilege of anticipatory bail/ regular bail by this Court or by a Coordinate Bench of this Hon'ble Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Jehanabad in connection with Jehanabad Town P.S. Case No. 921 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that 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/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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