

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32425 of 2025

Arising Out of PS. Case No.-553 Year-2024 Thana- BETTIAH CITY District- West
Champaran

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Rohit Ram @ Rohit Kumar @ Rohit Kumar Ram S/o Bunilal Ram R/o
Village- Kohargar Ratanmala, Mathia, P.S.- Majhaullia, District- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Siyaram Shahi, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 13-08-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner who apprehend arrest in connection
with Bettiah Town P.S. Case No. 553 of 2024 lodged on
26.12.2024 for the offences punishable under sections 144(2),
351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 3(1).
5(1)(d) of the Immoral Traffic (Prevention) Act, 1956.

3. As per the prosecution, it is alleged against the
present petitioner that, acting on secret information, the police
apprehended two women who disclosed a mobile number
allegedly belonging to the petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. The petitioner is neither a customer nor an operator, and solely on the basis of the mobile number provided by the apprehended accused persons, he has been implicated in the present case. The petitioner's role is not apparent from the FIR itself. It is further submitted that the offences under the BNS, 2023, for which the FIR has been lodged, are bailable; however, the offences under the Immoral Traffic (Prevention) Act, 1956, are non-bailable. The petitioner has a clean antecedent.

5. Learned APP for the State vehemently opposes the prayer for bail and submits that the petitioner squarely falls within the ambit of Section 5(1)(d) of the Immoral Traffic (Prevention) Act, 1956.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Bettiah Town P.S. Case No. 553 of 2024 pending before the learned Additional Sessions Judge VI-cum-Special Judge, POCSO, Bettiah is hereby rejected.

7. However, if the petitioner surrenders before the Trial Court within six weeks from today, the Trial Court is directed to pass an order on his surrender-cum-bail application



on the same day, without being prejudiced by the fact that the
petitioner’s anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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