

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35090 of 2025

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

Anish @ Anish Kumar Nawal Kumar Resident of Village-Ramanand Nagar,
P.O and P.S-Jahanabad, P.S-Jahanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar Karn, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-07-2025 Heard Mr. Hemant Kumar Karn, learned counsel
for the petitioner and Mr. Brajendra Nath Pandey, learned
Additional Public Prosecutor for the State.

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

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 including the petitioner was apprehended as they were involved in the same.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that petitioner is the staff of the Madhuban Guest House and apart from that statement of the recovered victim girls were recorded under Section 164 of Cr.P.C/183 of B.N.S.S in which they had not stated anything about the petitioner and it transpires from the FIR that petitioner has been made accused in the present case only on the basis that he is the staff of the hotel in question. He further submits that the similarly situated co-accused, namely, Nagendra Kumar @ Dablu @ Dabla has been granted anticipatory bail by this Court vide order dated 23.04.2025 passed in Cr. Misc. No. 18496 of 2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner alongwith other co-accused persons were involved in the present crime in question and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of 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 the learned Additional Sessions Judge-VI-cum-Special Judge(POCSO), Jahanabad in connection with Jahanabad 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 the Bhartiya Nagarik Suraksha Sanhita 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 absence on two consecutive dates without sufficient reason, his 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 criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bond 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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