

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46919 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

Sanjay Kumar Singh @ Sanjay Singh S/O Nand Kishore Singh @ Nand Kishor Singh Resident Of Village- Sitab Diyara, PS- Revilganj, Dist- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh, Sr. Advocate
		Ms. Nikita Mittal, Advocate
		Mr. Vipin Kumar Singh, Advocate
		Mr. Kr. Awnish Ankit, Advocate
For the Opposite Party/s	:	Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-07-2025 Heard Mr. Bindhyachal Singh, learned Senior counsel along with Ms. Nikita Mittal, Mr. Vipin Kumar Singh, Mr. Kr. Awnish Ankit, learned counsels appearing on behalf of the petitioner and Mr. Navin Kumar Pandey, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Chapra Muffasil P.S. Case No. 26 of 2025 registered for the offence(s) punishable under Sections 3, 4, 5, 6 of the Immoral Traffic (Prevention) Act, 1956.

3. As per the allegation made in the FIR, the petitioner is the Manager of Khana Junction Hotel, where allegedly



immoral act was carried out and specific allegation against the owner and the Manager (petitioner) is that they are engaged in immoral activity. The petitioner has been named in the present case on the basis of confessional statement of one co-accused Pankaj Manjhi.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner was not present on the spot when one co-accused namely Pankaj Majhi was arrested along with two other co-accused males and two females with objectionable articles and mobile phones. Learned counsel further submitted that the co-accused Sunil Kumar Singh, who is the owner of the hotel and against whom similar allegation has been made has been granted bail by this Court *vide* order dated 14.05.2025 passed in Cr. Misc. No.14650 of 2025 (Annexure-P/2). Learned counsel submitted otherwise also the offence is triable by any Magistrate, as would appear from the Immoral Traffic (Prevention) Act, 1956 in respect of offence committed under Section 3 and 4 of the act and also, as per the Schedule 2 relating to classification of offence prescribed under Section BNSS, 2023 the offence is non-cognizable, bailable and triable by any Magistrate. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-



arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the fact that the owner of the hotel, namely Sunil Kumar Singh, against whom similar allegation has been alleged, has been granted bail by this Court *vide* order dated 14.05.2025 passed in Cr. Misc. No.14650 of 2025. In respect of offence under Section 3 and 4 of the Traffic (Prevention) Act, 1956 the offence is triable by any Magistrate, and also, as per the Schedule 2 relating to classification of offence prescribed under Section BNSS, 2023 the offence is non-cognizable, bailable and triable by any Magistrate, the petitioner is having clean antecedent, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra at Saran in connection with Chapra Muffasil P.S. Case No. 26 of



2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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