

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73431 of 2024

Arising Out of PS. Case No.-584 Year-2024 Thana- NAGAR District- Vaishali

Subodh Kumar @ Subodh Kumar Rai @ Subodh Rai S/o Late Sonelal Rai
R/o Village- Hussainipur, P.S.- Tisiauta Nagar, Dist.- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Parikshman Dy. Superintendent of Police Hajipur Vaishali Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Sr. Adv. Mr. Anuj Kumar, Adv.
For the Opposite Party/s :		Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 05-02-2025 Heard Mr. Ansul, learned Senior Counsel for the
petitioner and Mr. Jitendra Kumar Singh, learned APP.

3. The petitioner is in judicial custody in connection with Hajipur Town P.S. Case No.584 of 2024 for the offences punishable under Sections 54/143/127(2)/64/61(2) BNS and 3/4/5/6/7 of Immoral Traffic Act and sections 4, 6, 8, 10, 17 of the POCSO Act, lodged on 11.08.2024 by the informant, Sanjeet Kumar.

4. As per prosecution case, the informant alleged that upon knowledge of immoral trafficking/illegal prostitution business going on in various hotels of Hajipur, the same were raided. In course thereof, Arun Residential Hotel (owned by petitioner of Cr. Misc. No. 73718/2024), the Residential Hotel



Shukla and Paras Residential Hotel were searched in which a number of customers/accused persons in Cr. Misc No. 73583/2024 and others along with victims, XA, XB, XC were present. From the other places, YA, YB and ZA, ZB were also taken into custody along with so-called customers. Accordingly, the FIR came to be lodged against owners/managers/customers and those present were taken into custody.

5. Learned Senior Counsel submits that he is the Manager of Paras Residential Hotel, two majors coming to the Hotel with their proper identification documents, putting in their actual names and address in the register maintained by Hotel, allowed them the room which the police during raid has given different colour. Not only it has lowered the prestige of the Hotel, the two majors coming together and checking in a room have also been painted black. Further submission is that all the documents including CCTV Footage have been seized by the police which would reflect during the trial that each and every entry was maintained. He has already suffered by being in custody since 11.08.2024 (para-19) of the petition and further some of the accused persons have been granted relief which includes Santosh Kumar Singh in Cr. Misc. No. 73583 of 2024.

6. Learned APP opposes the prayer submitting that



the allegation by the police is that the three hotels were running prostitution racket.

7. Having gone through facts of the case and the materials on record as also the supplementary affidavit with photographs to show that the entries are being made, it is for the police to check the credentials and come to conclusion, for the present, considering that he has already remained in custody for almost six months, others have been extended relief, an undertaking has been given that he shall be appearing in the trial diligently, in that background, this Court is inclined to extend him the privilege of bail subject to payment of Rs.10,000/- through demand draft issued by the local State Bank of India in favour of the informant which shall be handed over after checking the credentials.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District Judge-VI-cum-Special Judge, POCSO, Hajipur, Vaishali in connection with aforesaid P.S. Case, subject to the following conditions:

(i) one of the bailors should be the family member/relative of the petitioner who shall provide official



document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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