

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77596 of 2024

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

Pankaj Kumar S/O Arjun Rai R/O Hajipur, P.S.- Hajipur Town, Distt- Vaishali
... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjeet Kumar Gupta Probationary Deputy Suprintendent (PDSP) PDSP
R/O Hajipur, P.S.- Hajipur Town, Distt- Vaishali
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the State : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-01-2025 Heard the parties.

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

3. As per the prosecution story, 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 one co-accused, Arun Sah @ Arun Kumar Sah, 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.

4. Learned counsel for the petitioner submits that he was staying at Arun Residential Hotel, raid took place and the Police thinking him as the customer in the said sex racket, arrested. He is in custody since 10.08.2024 having no criminal antecedent. Further, similar situate co-accused Gopal Pandey and Others have been granted relief in Cr. Misc. No.75308 of 2024 and analogous cases.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the submissions put forward by the parties as also his period of custody and further the similar situate other co-accused persons have been granted relief, as stated above, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner 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 and Sessions Judge-VI-cum-Special POCSO Judge, Vaishali at Hajipur in connection with Hajipur Twon P.S. Case No. 584 of 2024,



subject to the following conditions:

(i) one of the bailor 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 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 fortnight 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 bail bonds.

(Rajiv Roy, J)

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