

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82797 of 2024**

Arising Out of PS. Case No.-193 Year-2024 Thana- SAMASTIPUR District- Samastipur

Kanhaiya Kumar @ Kanhai Kumar Singh @ Kanhaiya Kumar Singh S/o-  
Ram Narayan Singh Village-Siropatti PO- Ilmas Nagar PS- Khanpur District-  
Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Kumari D/O- Gangaram Mandal R/O- Siro Patti P.S- Khanpur, P.O-  
Ilmasnagar, Samastipur

... .. Opposite Party/s

**Appearance :**

|                      |   |                               |
|----------------------|---|-------------------------------|
| For the Petitioner/s | : | Mr. Abhay Kumar, Adv.         |
| For the State        | : | Mr. Mukesh Kumar Singh, APP   |
| For the Informant    | : | Mr. Gajendra Kumar Singh, Adv |

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

3      30-01-2025                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the Informant.

2. The petitioner has prayed for bail in connection with Samastipur Town P.S. Case No.193 of 2024 registered for the offence punishable under Sections 3, 4, 5 and 7 of Immoral Traffic (Prevention) Act, 1956 and Section 6 of the POCSO Act.

3. The case of the prosecution is that on information that Amit rest house was used for illegal flesh trade. The rest house was raided and it is alleged that many persons along with the petitioner were found in different rooms. The petitioner was found with a lady aged about 25 years.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It is further submitted that the petitioner and the lady both are major and they were in the room with consent. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 12.09.2024.

5. The learned APP for the State has submitted that as both are major, no offence is attracted.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.D.J-VI-cum-Special Court, POCSO, Samastipur in connection with Samastipur Town P.S. Case No. 193 of 2024.

**(Ashok Kumar Pandey, J)**

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