

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83100 of 2024

Arising Out of PS. Case No.-527 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Mohammad Mahibul Haque @ Mahbul Haque Son of Mohammad Majrul Haque @ Majharul Haque Resident of Village- Majhwaliya P.S.- Gaura, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 17-03-2025 Heard Mr. Yashraj Bardhan, learned counsel for the petitioner and Mr. Sanjay Kumar Pandey, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 126 (2), 127 (2), 115 (2), 76, 64, 318 (4), 352, 351 (2), 79, 3 (5) of the BNS and Sections 3 & 4 of the Immoral Trafficking Act.

3. The case of the prosecution is that the informant was working in an ‘*Orchestra*’ running by Ajay Purwe. It has further been alleged that Ajay Purwe has been raping her for past three years and he also assaulted her upon her protest. It has further been alleged that Ajay Purwe made a plan to sell the informant and the petitioner was accompanied in this act. It has



further been alleged that the petitioner was there with a Scorpio. It has further been alleged that he also made an attempt to rape her and she was being forcefully abducted in the Scorpio car.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that near the place of occurrence, there is a show room of Mahindra Cars and that the Scorpio was there for second free servicing. It has also been submitted that only the allegation against the petitioner is that he was present there with the Scorpio. It has further been submitted that when the informant was being forcefully boarded in the Scorpio, she raised alarm. Meanwhile, police arrived there and the offence could not be completed. Further submission is that on perusal of the FIR, it is clear that the main thrust of allegation is against one Ajay Purwe and not against this petitioner. Moreover, the petitioner is languishing in judicial custody since 30.08.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on



bail in connection with Chhapra Mufassil P.S. Case No. 527 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra.

(Ashok Kumar Pandey, J)

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