

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83387 of 2024

Arising Out of PS. Case No.-578 Year-2024 Thana- FORBESGANJ District- Araria

Shivam Kumar Son of Manoj Kumar Yadav Resident of village- Parsahi ward
no 07 , Police station-Khutouna, District Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Adv.
For the Opposite Party/s : Mrs.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 05-03-2025 Heard Mr. Ramesh Kumar Singh, learned counsel
for the petitioner and the State.

2. The petitioner is in judicial custody in connection with Forbesganj P.S. Case No. 578 of 2024 for the offence punishable under Sections 64, 319(2), 318(4), 61(2), 3(5) of B.N.S. (419, 420, 120-B, 34 I.P.C.) and section 4,5,6 & 7 of Immoral Trafficking Act, 1956 lodged on 14.09.2024 by the informant, Simpi Kumari.

3. As per the prosecution story, the informant upon secret information that in Alisha Rest House (for short 'the Rest House'), the immoral business is going on. She alongwith other police personnel raided the 'the Rest House' and apprehend one Sahid Ansari, the owner of 'the Rest House' as also two male and a girl in a compromising condition in the room. Accordingly, the FIR.



4. Learned counsel for the petitioner submits that he is a young boy, student, just took the shelter as it was raining heavily outside, the girl was also a student, they were in relationship and just to ease themselves, they took a room little realizing that they shall be brought under this criminal net. He has got no criminal antecedent and one Pintu Kumar has been granted bail in Cr. Misc. No. 84224 of 2024. Let the same be kept on record.

5. Learned APP opposes the prayer submitting that when the police raided the room, he was present and was found in compromising position.

6. Taking int account the aforesaid fact as also that the petitioner is a young student having no criminal antecedent, is in custody since 15.09.2024 and similarly situated co-accused, as stated above, has been granted bail, in that background, this Court is inclined to extend him the privilege of bail with conditions.

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 Chief Judicial Magistrate, Araria, in connection with Forbesganj P.S. Case No. 578 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 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 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;

(iv) 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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