

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86019 of 2024

Arising Out of PS. Case No.-1061 Year-2023 Thana- SONEPUR District- Saran

Rajnish Kumar S/O Ram Naresh Mishra R/O Vill - Rajapakar (loma), P.S-
Rajapakar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 24-01-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. Earlier regular bail of the petitioner was rejected vide order dated 08.05.2024 passed in Cr. Misc. No. 6799 of 2024 (Annexure- P1). The present is the second application for regular bail filed on behalf of the petitioner.

3. The petitioner seeks bail in connection with Sessions Trial No. 247 of 2024, arising out of Sonapur P.S. Case No. 1061 of 2023, instituted for the offences punishable under Sections 341, 342, 290, 370(A), 371, 376, 120(B) of the Indian Penal Code, Sections 3, 4, 5, 6,7 and 9 of the I.T.P. Act

4. The prosecution case, in short, is that, on the alleged date and time, the police raided the hotel Salt and caught



this petitioner who disclosed that he runs the business of prostitution after alluring girls for the sake of money. It is further alleged that one girl (victim) was also recovered from the said hotel.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that victim in her statement recorded under Section 164 of the Cr.P.C. has not mentioned anything against the petitioner and, therefore, learned counsel contended that the petitioner is innocent and allegations levelled against him are false and concocted. It is further submitted that there is no allegation of committing rape against this petitioner. Neither the hotel belongs to this petitioner nor the petitioner works as a manager in the hotel. The petitioner is in custody since 09.11.2023 and has got no criminal antecedent.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that during course of raid police recovered the victim who narrated the story that this petitioner runs the business of prostitution. It is further submitted that on search, various objectionable articles/material was recovered from the said hotel. Referring to



paragraph nos. 8 and 9 of the case diary it is also submitted that several witnesses have supported the prosecution version and, therefore, the petitioner does not deserve the privilege of bail.

7. As per report dated 16.12.2024 sent by the learned Court below, it appears that out of six charge-sheeted witnesses two witnesses have been examined by the prosecution and the trial is likely to be concluded within a period of six months.

8. Considering the aforesaid facts and circumstances of the case, stage of trial, nature of accusation and earlier rejected on the basis of merit, this Court is not inclined to grant bail to the petitioner.

9. The prayer is rejected. The trial Court is directed to expedite the Trial expeditiously. However, if the trial is not concluded within a period of six months from the date of receipt/production, the petitioner will have liberty to renew his prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

Rajorshi/-

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