

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88910 of 2024

Arising Out of PS. Case No.-595 Year-2024 Thana- MADHAURAH District- Saran

Saroj Kumar @ Saroj Kumar Manjhi Son of Jang Bahadur Manjhi Resident of Village-Sahwa, P.S.- Isuapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 27-02-2025 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Madhaura P.S. Case No. 595 of 2024 instituted for the offence under Sections 3, 4, 5 & 6 of the Illegal Immoral Traffic (Prevention) Act, 1956.

3. Prosecution case in short is that during a raid at ‘Aditya Hotel’, three rooms were found occupied by three men, including petitioner and three women in objectionable conditions, along with condoms and mobile phones. The hotel manager-petitioner, admitted that he rented the room without ID verification.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 26-10-2024. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing incriminating has been recovered from the possession of the petitioner. It is submitted that the so called presence of the petitioner and Putul Kumari in room No. 102 of the hotel is imaginary story and cannot be believed in any stretch of the imagination. Victim in her statement recorded under Section 183 of the BNSS, 2023 has stated that she knows the petitioner since one year and he is her boyfriend. Petitioner is the victim of the circumstances. Charge sheet is submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Other witnesses have supported the prosecution case, which fact finds mention at paragraph Nos. 6-11 of the case diary.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and there being no specific allegation against the petitioner even in the case diary and statement of the victim, this Court is inclined to grant



bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhaura P.S. Case No. 595 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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