

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41280 of 2026

Arising Out of PS. Case No.-190 Year-2026 Thana- FORBESGANJ District- Araria

Md. Moharram @ Moharram @ Moharram Khalifa S/o Late Iliyas Khalifa
Resident of Village - Rampur Uttar, Ward no. - 03, Police Station -
Forbesganj, District - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satendra Kumar Gupta S/o Arun Kumar Gupta P.S.I. cum Addl. S.H.O.
Forbesganj P.S., P.s. - Forbesganj, Dist. - Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-06-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Forbesganj P.S. Case No. 190 of 2026, registered for the offence
under Sections 111, 98, 99, 70(1), 115(2), 143 & 3(5) of the
B.N.S. read with Sections 4 & 17 of the POCSO Act, Sections
3, 4, 5 & 6 of the Immoral Traffic (Prevention) Act, 1996 and
Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, the petitioner has been
found to be running a brothel.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has not committed any offence. The



petitioner is in custody since 04.04.2026 having clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, this application for regular bail is allowed.

7. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Forbesganj P.S. Case No. 190 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. with further conditions that:-

(i) At the time of acceptance of bail bonds, the court below shall verify the antecedent of the petitioner. The bail bonds shall be accepted only upon confirmation that the petitioner has no criminal antecedent. However, such verification shall not be used as a ground to unnecessarily delay acceptance of the bail bonds.

(ii) While furnishing the bail bond, the petitioner will file affidavit



that henceforth, he or his family members including his wife will not involve in such kind of business.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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