IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54856 of 2026

CNR No. BRHC010701032026

Arising Out of PS. Case No.-176 Year-2026 Thana- TEKARI District- Gaya

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Chandralok Kumar, Son of Shiv Shankar Prasad, Resident of Village- Noni, P.S.- Tekari, District- Gaya Ji

... ... Petitioner/s

Versus

1. The State of Bihar
2. X, Daughter of Y, Resident of Village- Kazibigha, P.S.- Tekari, District- Gaya

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Shivendra Prasad, Advocate
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

5 27-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Tekari P.S. Case No. 176 of 2026, registered for the offences under Sections 144 & 61 of the BNS, Sections 3, 4 & 5 of the Immoral Trafficking (Prevention) Act and Sections 4 & 6 of the POCSO Act.

3. As per prosecution case, in a drive against immoral trafficking, a raid was conducted on a banquet hall and a number of persons were apprehended finding them to be involved in prostitution and immoral trafficking. The petitioner is one of the apprehended persons against whom there is

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allegation that he was also involved in flesh trade along with other co-accused persons.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The police initially registered the FIR under the provisions of POCSO Act, but at the time of submission of charge sheet, the provisions of POCSO Act were not mentioned and the charge sheet has been submitted under the provisions of BNS only. Learned counsel further submits that there is allegation against this petitioner that he made an attempt to commit rape with one of the ladies, but similar allegation has been levelled against other co-accused persons as well and mostly accused persons have been granted bail by the different Coordinate Benches of this Court vide orders dated 03.09.2026 passed in Cr. Misc. No. 54124 of 2026 & Cr. Misc. No. 52704 of 2026, order dated 10.09.2026 passed in Cr. Misc. No. 57926 of 2026, order dated 15.09.2026 passed in Cr. Misc. No. 50790 of 2026. Learned counsel further submits that moreover the statement of the victims appeared to be procured by the police in order to make out a case against the petitioner and others. The petitioner is in custody since 07.05.2026 and is having antecedent of one case in which he is on bail. Charge

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sheet has been submitted.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner and other co-accused persons were found involved in flesh trade on a large scale.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the grant of bail to other co-accused persons and further considering the period of custody of the petitioner and submission of charge sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge POCSO-cum-Additional Sessions Judge-VII, Gaya Ji/concerned court, in connection with Tekari P.S. Case No. 176 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial

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court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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