IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81666 of 2026

CNR No. BRHC011157322026

Arising Out of PS. Case No.-718 Year-2026 Thana- BHAGWAN BAZAR District- Saran

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Mohan Kumar S/o Prem Pandit R/o vill- Shyamchak, PS- Bhagwan Bazar, District- Saran Chapra

... ... Petitioner/s

Versus

1. The State of Bihar
2. Randhir Kumar, Inspector Cum SHO at Bhagwan Bazar P.S., R/o Bhagwan Bazar Thana, P.S.- Bhagwan Bazar, Distt.- saran

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Chetna, Adv.
For the Opposite Party/s : Mr. Shyam Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

2 25-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. This is an application for regular bail to the petitioner who has been made accused in connection with Bhagwan Bazar P.S. Case No. 718 of 2026 registered for the offences punishable under Sections 3, 4, 5, 6, 7 of the Immoral Traffic (Prevention) Act and under Sections 4, 8, 12 of the POCSO Act.

3. As per the prosecution case, on 09.09.2026, police conducted a raid at Passion Hotel near Chapra Railway Station under Bhagwan Bazar P.S., Saran. Three persons were found at the Hotel the co-accused Mrityunjay Kumar Singh who is Hotel

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owner along with other co-accused Chandrabhushan Parvat (hotel staff) and this petitioner. Certain people were caught by the police at the Hotel suspecting illicit affairs and were found in objectionable condition.

4. Learned counsel for the petitioner submits that petitioner is quite innocent, has committed no offence and has falsely been implicated in this case on suspicion and presumption. It is submitted that the petitioner is a low-level Hotel staff and is working there for mere livelihood and he had no control over the checking incoming visitors or monitoring room activities. He is neither owner nor operator/manager of Hotel, rather the Hotel is owned by the co-accused, Mrityunjay Kumar Singh. There is no specific overt act or direct role attributed to this petitioner, the allegations are omnibus, vague and general in nature. No incriminating article, objectionable material, weapon, forged document or prohibited item recovered from direct, conscious and personal possession of the petitioner.

5. It is submitted that there is no ingredients of organised human trafficking, procurement or exploitation against this petitioner. The statement of victim under Section 183 of the BNSS shows that they have voluntary went to Passion Hotel and there is no allegation of inducement,

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kidnapping, force or sexual exploitation against the petitioner. Petitioner is a local resident of Saran and there is no chance of absconding or tampering with evidence as the investigation has been completed.

6. Petitioner has clean antecedent and is languishing in judicial custody since 10.09.2026. A Co-ordinate Bench of this Hon'ble Court has granted bail to the co-accused, namely, Mrityunjay Kumar Singh vide order dated 05.11.2026 passed in Cr. Misc. No. 79219 of 2026.

7. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, the period of custody as also taking into consideration the materials available on record, let the petitioner, above named, 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 learned Exclusive Special Court (POCSO), Saran, Chapra/concerned court in connection with Bhagwan Bazar P.S. Case No. 718 of 2026, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

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(ii) the petitioner shall co-operate in trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the court on that date.

(iii) if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

Abhishek/-

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