

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20092 of 2014

Arising Out of PS.Case No. -166 Year- 2014 Thana -MOTIHARI CITY District-
EASTCHAMPARAN(MOTIHARI)

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Vijay Kumar Singh S/o Shio Ji Singh of Village Laxmipur, P.S. Turkaulia,
District East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 30-06-2014

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor.

After having been directed by the superior police officers regarding commission of act of prostitution at hotel 'Sattakar' a raid was conducted and from a room a woman and a man, namely, Manoj Kumar was found in half naked condition while petitioner was also there but was found in standing condition on account of opening of the door. Recovery of incriminating article as per discloser have also been made.

It has been submitted on behalf of petitioner that he happens to be under custody since 25.03.2014. It has further been submitted that he has been illegally detained because of the fact that neither the police was able to seize a single farthing from the possession of the so alleged woman whereupon it could be said that flesh trade was going on. It has also been submitted that there happens to be no barrier in getting consensual indulgence amongst

two adults even of opposite gender. Moreover, there happens to be absence of allegation against the petitioner save and except having his presence.

On the other hand, the learned Additional Public Prosecutor opposed the prayer and submitted that the hotel was being run as a brothel. It has also been submitted at the end of learned Additional Public Prosecutor that there was no occasion for recovery of cash from the possession of woman because of the fact that deal was being materialized at the end of the proprietor of the hotel.

Be that as it may, taking into account the status of petitioner, petitioner Vijay Kumar Singh is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Motihari Town P.S. Case No.166 of 2014.

(Aditya Kumar Trivedi, J)

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