

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8688 of 2016

Arising Out of PS.Case No. -208 Year- 2015 Thana -AMAS District- GAYA

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1. Shambhu Paswan Son of Ramawadh Paswan Resident of Village- Dema Ladu , Police Station- Mohanpur District Gaya.
2. Bhola Manjhi Son of Chhedi Manjhi Resident of Village-Koilkha Police Station -Magadh University Bodh Gaya District Gaya.

.... Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Murlidhar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 20-04-2016 Heard learned counsel for the petitioners and learned APP for the Sate.

The petitioners seek bail in connection with Amas P.S. Case No. 208 of 2015 registered for the offences punishable under Sections 370, 371 of the Indian Penal Code and Section 14 of Child Labour (Prohibition Regulation) Act 1986.

Allegedly, the petitioners and other FIR named co-accused took away 8 children to provide them job for plucking fruits and they will be paid handsome wages but the children were handed over to farmers at Manali and they were engaged in hard work without providing any blanket to save from cold.

Submission is of false implication and that the petitioners have got no concern with sending the children or alluring them, they went out of their own sweet will with the consent of their guardian, two

of them have already returned and their statements have been recorded under Section 161 Cr.P.C. and both have not taken the name of the petitioners and further they have not stated that they were ever assaulted, the petitioners are in custody since 01.01.2016 and chargesheet has already been submitted and as such they deserve sympathetic consideration to which learned APP opposes by submitting that six children are still at Manali.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri G. N. Dubey, J. M. Ist Class, Sherghati, Gaya in connection with Amas P.S. Case No. 208 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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