

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 29043 of 2016

Arising out of P. S. Case No. - 6 Year - 2016 Thana - KATIHAR GRP CASE District - KATIHAR

Kamal Hassan, S/o Nazrul Haque, Resident of Village - Bairbanna, P.S. -
Dighal Bank, District - Kishanganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party : Mr. Sri Madan Kumar, Advocate

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

3 07-09-2016

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Kishanganj Rail P.S. Case No. 06 of 2016 registered for the
offences punishable under Sections 370, 374 of the Indian Penal
Code and Sections 23 and 26 of the Juvenile Justice Act.

Case diary, in the present case, was called for which
has since been received.

Learned counsel for the petitioner submits that
though there is an allegation of trafficking of children for the
purpose of house labour, but the parents of some of the children
have come forward to state that they permitted their children to go
to Delhi. It is further submitted that neither petitioner was arrested
from the place of occurrence nor any further material has come
against him.

Learned counsel appearing on behalf of the State, pointing out various paragraphs of the case diary including paragraph 20 and 21, has submitted that the Labour Inspector has caught two of the accused persons from the railway station at Kishanganj and about twelve children have been found in their custody who were being taken away to Delhi or other States for being forced labour. He further submits that even the children have stated that it was the present petitioner who gave commission to their father to take them away.

In view of the nature of allegation made and the materials which have surfaced in the case diary, I am not inclined to grant prayer for anticipatory bail to the petitioner.

However, if the petitioner surrenders within a period of four weeks in the learned Court below, his prayer for regular bail shall be considered without being prejudiced by this order.

(Anjana Mishra, J.)

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