

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18399 of 2016

Arising Out of PS.Case No. -28 Year- 2016 Thana -KHIJARSARAI District- GAYA

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1. Md. Zishan, Son of Md. Jehangir, resident of Village: Maulanachak, P.S: Islampur, Dist: Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Fakhruddin Ali Ahmad

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

6 13-07-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 342, 371 and 374 of the I.P.C, sections 3, 4 and 7 of the Human Trafficking Prevention Act, 2005 and section 14 of the Child Labour Prohibition & Regularization Act, 1986.

Allegedly, the petitioner was taking away seven children aged between 8 to 12 years after alluring them.

Submission is of false implication and that admittedly this is a case under Child Labour Prohibition & Regularization Act, statements of the victim boys are recorded in paragraph-30 of the case diary, those boys were going with their own consent to do

the work, the petitioner is in custody since 08.02.2016, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. submits that the children were weeping in the Bus and they were being forcibly taken away by the petitioner.

In the facts and circumstances as stated above, considering detention of the petitioner and further that there is no chance of tampering with the prosecution evidence, the petitioner 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 C.J.M. Gaya in Khizersarai P.S. Case No. 28 of 2016/ G.R. No. 702 of 2016, 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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