

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47962 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -PATNA GRP CASE District- PATNA

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1. Md. Miraj Alam S/o Md. Aslam R/o vill. Saraiwa, P.S. Neemganj, Bathani, Distt. - Gaya
 2. Hussaini Sai S/o Late Kamruddin Sai R/o vill. Bandi, P.S. Neemganj, Bathani, Distt. - Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 23-11-2016 Heard the counsel for the petitioners.

No one appears on behalf of the State.

The petitioners are lodged in custody in connection with G.R.P. (Biharsharif) P. S. Case No. 12 of 2016 registered under sections 363 & 370 IPC, section 26 of J. J. Act and section 17 of the Bonded Labour Act, besides penal provision of the Child Act.

The informant is a Coordinator of Non-Government Organization (NGO) and has alleged that, on a secret information, he searched a bogie of the Sharamjivi Express train and found these two petitioners with five child labours. The allegation is that they are engaged in trafficking the children for labour purpose at different places.

The contention of the petitioners is that the provisions under which they have been charged are bailable. Except this, there is no tangible material to support the allegation that the petitioners were engaged in illegal supply of child labours. The parents at best had consented for such engagement on account of poverty. The petitioners are in custody since 02.08.2016 carrying no criminal antecedents.

Considering the facts and circumstances of the case, the petitioners above named are directed to be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Railway Judicial Magistrate, Patna in G.R.P. (Biharsharif) P.S. Case No. 12 of 2016 on condition that one of the bailors of each of the petitioners shall be their own/close family members. They shall appear in person on each date fixed at the trial. In case they fail to appear on two consecutive dates, the trial court shall have liberty to cancel their bail bonds and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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