

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51517 of 2016

Arising Out of PS.Case No. -76 Year- 2016 Thana -SAMASTIPUR GRP CASE District-
SAMASTIPUR

- =====
1. Shatrudhan Sharma, son of Laxman Sharma,
 2. Ratan Sharma, son of Laxman Sharma. Both are resident of Village- Khap Tola Naua Bakhar, Ward No.15, Police Station- Kishanpur, District- Supaul.
 3. Sadanand Sada, son of Sukhai Sada, resident of Village- Sonbarsa, Ward No.-3, Bauraha, Police Station- Kishanpur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Goutam, Advocate
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-12-2016 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners are languishing in custody since
07.09.2016 in connection with Rail Darbhanga P.S. Case No.
76/16 for offences punishable under Section 370 of the Indian
Penal Code, Section 16 of the Bonded Labour System (Abolition)
Act, 1976.

The prosecution case is that rail police on secret
information apprehended the petitioners, who were taking 29 boys
between the age group of 9-16 years to Haryana for mushroom
cultivation.



It has been submitted by the learned counsel for the petitioners that they are innocent, have no criminal history and that the parents of the victim boys have stated on affidavit that with their consent their sons were being taken to Haryana for meeting their relatives. It is further submitted that the charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that the petitioners are named in the First Information Report and some of the witnesses have supported the prosecution case, hence, opposes the prayer for bail.

Considering the facts and circumstances and since charge-sheet has been submitted, from the materials available, it does not reveal that the petitioner's liberty on bail would adversely affect their trial, hence, in the interest of justice, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate (Rail), Samastipur in connection with Rail Darbhanga P.S. Case No. 76/16.

This direction of bail is, however, subject to the condition that one of the bailors should be the close relative of the



petitioners and the other bailor should have sufficient immovable property within the jurisdiction of the concerned police station/ court and that the petitioners will appear before the learned court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J.)

Rajesh/-

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