

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7432 of 2017

Arising Out of PS.Case No. -94 Year- 2016 Thana -DARBHANGA RAIL P.S. District-
SAMASTIPUR

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1. Md. Mustafa son of Sheikh Kaiyum
2. Shekh Nesar Ahmad @ Shekh Nisar Ahmad son of Shekh Tahir Hussain
3. Md. Sajjad son of Budhai Ansari
All R/o village- Khatbahiya, Ward No. 6, P.S.- Rangpur, District- Rothal (Nepal) Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar
For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-03-2017 Heard learned counsel for the petitioners and learned counsel representing the State.

Petitioners seek bail in connection with Darbhanga Rail P.S. Case No. 94 of 2016 registered for the offences punishable under Section 370 of the Indian Penal Code and Section 16 of Bonded Labour System abolition Act, 1976.

Allegedly, the petitioners were apprehended when they were taking away nine minor children for forceful labour.

Submission is of false implication and that the petitioners are poor person, they are not middle men, the aforesaid boys were going at their own, the petitioners have got no concern with them and only on suspicion the petitioners have been apprehended and they have got no criminal antecedent and are suffering in custody



since 02.11.2016.

Learned APP opposes the prayer of bail.

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 learned A.C.J.M. Rail, Samastipur in connection with Darbhanga Rail P.S. Case No. 94 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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