

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6461 of 2017

Arising Out of PS.Case No. -85 Year- 2016 Thana -DARBHANGA RAIL P.S. District-SAMASTIPUR

=====

NAJMUDDIN, Son of late Haji Nek Mohammad, Resident of Village-Jamua, P.S.- Dhaka, District- East Champaran (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kameshwar Prasad Singh, Advocate

For the Opposite Party/s : Smt. Rita Verma, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 29-03-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 22.10.2016 in connection with GRP(DBG)(SMT) P.S. Case No. 85/2016 registered for the offence punishable under Section 370 of the Indian Penal Code and Section 16 of the Bonded Labour System Abolition Act, 1976.

The prosecution case, as lodged by the police personnel, is that on secret information they apprehended 10 persons with 28 children below the age of 18 years and it is alleged that they were being taken to Mumbai for human trafficking.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has



falsely been implicated in the aforesaid case and that the children, who were found with the petitioner, were his own relatives and were being taken to Mumbai by him with the consent of their parents for studies. It is submitted that it is only on the basis of suspicion that the petitioner has been implicated and there is no independent witness to support the prosecution case and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate, Railway, Samastipur in connection with GRP(DBG) Case No. 85/2016, subject to the condition that one of the bailors must be a close relative of the petitioner and the other bailor must have sufficient immovable property within the jurisdiction of the concerned police station/court.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

