

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6463 of 2017

Arising Out of PS.Case No. -105 Year- 2016 Thana -SAMASTIPUR GRP CASE District-
SAMASTIPUR

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1. Sonu Bhagat Son of Ramchandra Bhagat R/o Village- Nankara Simardah,
(Nankar Simadeh), P.S.- Mejarganj, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Smt. Asha Kumari, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-03-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 26.11.2016 in a
case registered for offences punishable under Sections 370, 374,
177 and 34 of the Indian Penal Code.

The prosecution case is that SSB 51 Battalion on secret
information caught the petitioner along with two accused persons
with six children, who were being carried to Mumbai for working
as child labour.

Learned counsel for the petitioner submits that he has
no criminal antecedent and charge sheet has already been
submitted against him, hence there is no chance of tampering with
the prosecution evidence and the boy, who was found with the



petitioner, was being taken to his father where the boy was studying, and the mother has also sworn affidavit to the said effect, which is Annexure-3 to this application. It has further been submitted that the petitioner has been made accused on the ground of suspicion.

However, learned A.P.P. for the State submits that the petitioner is named in the F.I.R. hence, opposes the prayer for bail.

Considering the facts and circumstance of the case, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Samastipur in connection with Darbhanga (Sitamarhi) P. S. Case No. 105 of 2016, subject to the condition that the petitioner is directed to appear before the Police/Court on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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