

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19908 of 2018

Arising Out of PS. Case No.-315 Year-2017 Thana- LALGANJ District- Vaishali

-
1. Kishore Kumar, S/o Ram Lakhan Singh, resident of Village- Kharauna, P.S.- Lalganj, District- Vaishali.
 2. Pashupati Nath Gupta, S/o Lalbabu Prasad,
 3. Raj Kishore Kumar, S/o Jagnath Rai,
Both resident of Village- Agarpur, P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Adv.
For the Opposite Party/s : Smt. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-04-2018 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 353, 341, 504 and 506/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report dated 28.11.2017 submitted by Rajesh Kumar Sinha, Labour Officer, Lalganj, addressed to the Station House Officer, Lalganj Police Station to the effect that on 28.11.2017 at 2.30 PM, a team was constituted and several shops including the shops of the petitioners were raided and it was found that they are running the shops with the help of the child labours. Five



child labours were taken in custody by raiding team, but the petitioners made protest, abused and got the children released from the custody of the raiding team.

It is submitted by learned counsel for the petitioners that in fact no children were found working in the shops of the petitioners. From the FIR, it appears that no case under Section 3 of the Child Labour (Prohibition and Regulation) Amendment Act, 2016 has been registered. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State the accusation is specific against the petitioners.

Keeping in view of the fact that the FIR does not suggest any offence under Section 3 of the Child Labour (Prohibition and Regulation) Amendment Act, 2016 has been registered, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Vaishali at



Hajipur in connection with Lalganj P.S. Case No.315 of 2017,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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

