

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1508 OF 2017

Issar Mohd. Jahirul Fakir and anr. vs. State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Akram Kapoor for the Applicant.

Mr. S.S. Hulke, APP. for the State.

CORAM : A.S.GADKARI, J.

DATE : 31st January, 2018

P.C.

1. By an order dated 24.8.2017 the applicants were granted interim relief.
2. It is the prosecution case that the applicant No.1 is running workshop wherein he manufactures school bags. That one child labour aged about 14 years was found working in the said shop, on the date of conducting the raid. The applicant No.2 is also running a workshop which manufactures ladies bags. That, two minor children were found working in the said shops on the date of raid. It is submitted by the learned counsel for the applicant that the said boys who were found to be working in the said workshops had in fact

came with their parents and they were not forced to work in their establishments. He further submitted that after the said raid, the children were given in the custody of their parents and as of today the said children are with their parents. The record of investigation indicates that till date the concerned Investigating Officer has not taken any pains to record the statement of parents of the said alleged victims i.e. child labours.

3. After perusing the record it prima facie appears that the said children had been to the said establishments along with their parents and were doing the said work sheerly out of poverty.

4. In view of the peculiar facts and circumstances of the present case the applicants are entitled to be protected by pre-arrest bail.

5. The interim relief granted by Order dated 24.8.2017 is hereby confirmed. However, the condition to attend the Investigating Officer is waived.

6. Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)