

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2107 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- ROSHANGANJ District- Gaya

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1. HARIHAR SINGH S/o Gaya Singh R/o village- Dharampur, P.S.- Pratappur, District- Chatra (Jharkhand)
 2. Shiv Shankar Kumar Jha S/o Suryakant Jha R/o village- Kudra, P.S.- Kudra, District- Kaimur

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ravindra Kumar Shukla

For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL JUDGMENT

Date : 21-05-2019

Heard learned counsel for the appellants and
learned Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act against the refusal of prayer for bail vide order
dated 24.04.2019 passed by learned Exclusive Special Judge,
SC/ST, Gaya in Roshanganj (Banke Bazar) P.S. Case No. 55 of
2019 registered under Sections 370, 371 and 374/34 of the
Indian Penal Code, Section 14 of the Child Labour Act, Sections
¾ of Prevention of Human Trafficking Act, Sections 78/81 of
J.J. Act and Section 3/(h) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.



Appellants are said to have been trafficking five minor children from their lawful guardian for working as child labourers.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case. All the children recovered from the possession of the appellants are of the age of 15 years and above. Their guardian have given statement before the police regarding sending the aforesaid children along with the appellants for job out of their sweet will, hence no offence under Human Trafficking Act and Child Labour Act is made out against the appellants. They have no criminal antecedent and have been languishing in custody since 27.03.2019.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellants are directed to be enlarged on bail 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 Exclusive Special Judge, SC/ST, Gaya in Roshanganj (Banke Bazar) P.S. Case No. 55 of 2019.



Accordingly, the impugned order is set aside and
appeal is allowed.

(Prakash Chandra Jaiswal, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
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