

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2132 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- IMAMGANJ District- Gaya

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Rajeev Kumar @ Rajiv Kumar, Son of Late Arjun Singh Resident of Dehri-on-sone, P.S-Dehri-on-sone, District-Rohtas. Appellant/s

Versus

The State of Bihar. Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhaskar Shankar

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

5 21-06-2019 Heard learned counsel for the appellant and learned

Special Public Prosecutor 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 23.04.2019 passed by learned Exclusive Special Judge SC/ST Act, Gaya in Imamganj P.S. Case No. 39 of 2019 registered under Sections 417, 363, 365, 367, 370 & 374 of the Indian Penal Code, Section 3/14 of the Children Labour Act, Section 75, 79 & 81 of the Juvenile Justice Act, Section 5 (b) (1) (2) of the Human Trafficking Act and Section 3(1) (h) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant is said to have been trafficking 10 children all aged about 10 years for child labour in the hotel at Barun.



It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case. Appellant was taking the children to Bodh Gaya for excursion and worship with the permission of their father and father of all the children by filing affidavits have deposed that they have allowed their ward to go along with the appellant for visiting Bodh Gaya. Appellant has no criminal antecedent and has 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 appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge SC/ST Act, Gaya in connection with Imamganj P.S. Case No. 39 of 2019.

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

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(Prakash Chandra Jaiswal, J)

