

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53667 of 2019**

Arising Out of PS. Case No.-40 Year-2018 Thana- HARSIDHI District- East Champaran

MUNNA @ MUNNA ALAM S/o Ibrahim Mian R/o village- Jaukatiya Maula
Tola, P.S.- Majhauilya, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliari

For the Opposite Party/s : Mr.Brajendra Nath Pandey

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 28-08-2019 Heard both sides.

The petitioner apprehends his arrest in Harsidhi P.S.
Case No.40 of 2018 registered under Sections 363, 365 and 34
of the Indian Penal Code.

The informant, father of the victim, disclosed that his
both minor sons, Guddu Alam and Eid Mohammad were
missing since September 2017. On 7th of November, 2017, the
informant received a call and the caller disclosed that Guddu
was speaking. Guddu, son of the informant disclosed that Anwar
Dewan brought them to Chennai and employed them in a
factory. The informant also disclosed telephone number from
which he got the call. The informant disclosed the name of
Anwar Dewan and his sons Afroz and Khursheed and Haji
Dewan who has also earlier kidnapped two boys and sold them.



The learned counsel for the petitioner submits that petitioner is not named in the F.I.R. During the course of investigation, the victim was recovered from Chennai and both the victim disclosed that one person took them from Sugauli railway station to Chennai. Munna, son of Ibrahim kept them in a factory and after sometimes, his brother was also kept in another factory. It is further submitted that petitioner never kidnapped the victim. The only allegation against the petitioner is that the petitioner employed both the boys in a factory. The victim did not make any sorts of allegation or the allegation of selling or torture against the petitioner but it appears that from perusal of statement of both victims recorded under Section 164 Cr.P.C., both the boys were forcibly employed in a factory and it was petitioner who even after knowing the fact that victims are minor got employed in the factory. It is further submitted that one of the accused namely, Ibrahim, father of the petitioner, has already been granted regular bail.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, learned



court below shall consider the prayer for regular bail of the petitioner taking into consideration the fact that Ibrahim who is said to have taken the boys from Sugauli railway station to Chennai has already been granted regular bail.

(Prabhat Kumar Jha, J)

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