

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3667 of 2019

Arising Out of PS. Case No.-286 Year-2019 Thana- GAYA KOTWALI District- Gaya

MD . HAIDER Son of Md. Zaffir Alam Resident of Mohalla- Sadhami Tola
ward No.7, Panchayati Akhara, P.S.- Kotwali, Dist.- Gaya.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kr. Sinha
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

5 08-11-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for anticipatory bail vide order dated 19.07.2019 passed by learned Special Judge, SC/ST Act, Gaya in Kotwali P.S. Case No. 286 of 2019 registered under Sections 342, 370, 370(a), 374/34 of the Indian Penal Code, Section 14(A) of Child Adolescent Labour Act, Section 3(1)(r) (s) of the SC/ST Act and Section 79 of the Juvenile Justice Act.

Two minor children were found working in the bangle shop of the appellant at the time of raid by the informant.

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. Minor children who are



said to have been working in the shop of the appellant are his nephew and they had arrived at the shop of the appellant casually during the course of playing at the time of raid. Parents of the aforesaid children by filing affidavit have supported the case of the appellant. No offence under SC/ST Act is made out against the appellant. Appellant has no criminal antecedent.

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

Having regard to the facts and circumstances of the case, let the above named appellant, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST Act, Gaya in connection with Kotwali P.S. Case No. 286 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Prakash Chandra Jaiswal, J)

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