

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65301 of 2019

Arising Out of PS. Case No.-103 Year-2019 Thana- DAWATH District- Rohtas

1. Raju Prasad @ Raju Kahar, aged about- 35 years, Gender- Male, S/o Junni @ Junni Kahar, R/o village- Dehri, P.S.- Dinara, District- Rohtas, At present M/s Raju Misthan Bhandar Dawath Road, Maliyabagh, P.S.- Dawath, District- Rohtas
2. Kapil Prasad Gupta, aged about- 50 years, Gender- Male, S/o Bharat Prasad Gupta R/o village- Koath, P.S.- Dawath, District- Rohtas, At present M/s Chandna Sweets Koath, P.S.- Dawath, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Adv.
For the Opposite Party/s : Mr. Gulnar Begum, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Dawath P.S. Case No. 103 of 2019 registered under sections 370 of the IPC, 79 JJ Act and 14 C.L.P.R.A Act.

The allegation against the petitioners is that the Nodal Encroachment Officer raided the shop of sweets of the petitioners and found that the petitioners were indulged in engaging the child for the purpose of labourer in their respective shops.

Learned counsel appearing for the petitioners submits that petitioners have not committed any offence in the manner



alleged inasmuch as the children who have been shown as victim were just standing near the shops of the petitioners and there is no statement of the victims or the parents of the victims regarding exploitation.

Having regard to the submissions made by the parties and taking into consideration the justification given by learned counsel for the petitioners which seems to be cogent and there is no material on record showing that victims or their parents complained against the petitioners, I am inclined to grant anticipatory bail to both the petitioners.

Accordingly, the petitioners, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bikramganj, Rohtas, in connection with Dawath P.S. Case No. 103 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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