

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7424 of 2020

Arising Out of PS. Case No.-310 Year-2019 Thana- KATIHAR MUFFASIL District- Katihar

SUBODH CHAUHAN @ SUBODH KUMAR CHAUHAN Son of Bachu
Chauhan Resident of village - Chhitabari, Kalimandir, P.S. - Muffasil, District
- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Muffasil P.S. Case No. 310/2019 registered under Sections 370, 370A, 342, 344 of the Indian Penal Code read with 3, 3A of the Child and Adolescent Labour Act, 1986.

Learned counsel for the petitioner submits that the case in question has been lodged by the Labour Enforcement Officer saying that the boy Dinesh Hasda was recovered from the hotel of the petitioner aged about 13 years, but in fact, the present age of the said boy is 19 years.



Learned counsel submits that the learned Additional Sessions Judge – V, Katihar has also recorded that from the birth certificate, the age of the said boy is about 16 years and the F.I.R. in fact has been lodged on mere suspicion and petitioner has got no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein learned counsel for the petitioner submits that the case in question has been lodged by the Labour Enforcement Officer saying that the boy Dinesh Hasda was recovered from the hotel of the petitioner aged about 13 years but in fact the present age of the said boy is 19 years and learned Additional Sessions Judge – V, Katihar has also recorded that from the birth certificate the age of the said boy is about 16 years and the F.I.R. in fact has been lodged on mere suspicion, let the above-named petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of



Judicial Magistrate, 1st, Katihar, in connection with Muffasil P.S. Case No. 310/2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

