

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11809 of 2020

Arising Out of PS. Case No.-419 Year-2019 Thana- MAHUA District- Vaishali

SANJEEV KUMAR @ SANJEEV KUMAR JAISAWAL S/o Late
Baidyanath Choudhary Resident of At- Mahua, P.O. and P.S.- Mahua, Distt-
Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Adv.

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-06-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Mahua P.S. Case No. 419 of 2019, registered for the offence punishable under sections 370A, 342, 344, 363A and 374 of the Indian Penal Code and sections 74, 82, 88, 85, 87, 42, 33 and 34 of the Juvenile Justice Act, 2015.

As per allegation in the FIR, it is stated that on raid being conducted, a ten year old minor was found working in the shop named Kanchan Sweets and a 13 year old minor was found working in the shop named Puja Sweets, belonging to the petitioner herein.

It is submitted by learned counsel for the petitioner



that even from reading of the FIR, the offence which could have been alleged against the petitioner was one under the Child and Adolescent Labour (Prohibition & Regulation) Act, 1986 and not as has been mentioned in the FIR. It is further submitted that the punishment for the first offence varies from six months to maximum of two years. The allegations as levelled in the FIR are false and no minor was caught working in the petitioner's shop. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the submission made on behalf of the petitioner together with the petitioner not having any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Mahua P.S. Case no. 419 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Vaishali at Hajipur subject to the condition as laid
down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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