

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13650 of 2021

Arising Out of PS. Case No.-34 Year-2020 Thana- KATIHAR GRP CASE District- Katihar

1. Almera Khatoon Wife of Shahid Alam, Resident of Village- Siktiya Imamnagar, P.S.- Azamnagar, District- Katihar.
2. Abdur Son of Md. Anwar, Resident of Village- Siktiya Imamnagar, P.S.- Azamnagar, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Musowir, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 08-09-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek bail in Katihar Rail P.S. Case No.34 of 2020 instituted for the offence under Sections 370 and 374 of



the I.P.C. and Section 3 of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986.

The allegation against the petitioners is that they indulged in abusing the children for labour purposes.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case merely on suspicion. They have no concern with other co-accused persons. They were going to Delhi for their livelihood, therefore, they were present on the railway platform. One Ariful (co-accused) has been granted regular bail by a coordinate bench of this Court in Cr.Misc.No.10432 of 2021 on 24.08.2021 (Annexure 3). The case of the petitioners stands on similar footing. The petitioners are in custody since 25.09.2020.

Learned A.P.P. has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail of the petitioners is allowed. Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Railway Katihar, District-Katihar in



connection with Katihar Rail P.S. Case No.34 of 2020, subject
to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

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