

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23066 of 2021

Arising Out of PS. Case No.-475 Year-2020 Thana- SAUR BAZAR District- Saharsa

Bhanu Yadav @ Bhanu Kumar @ Bhannu Yadav Son of - Manbharan Yadav
Resident of Village- Ghoghanpatti, P.S.- Sour Bazar (Patarghat O.P.), District-
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr. H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-09-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner has filed the
supplementary affidavit in which it is stated that inadvertently in
para-1 of the main application Sour Bazar (Patarghat O.P.) P.S.
Case No. 474 of 2020 has been typed in place of Sour Bazar P.S.
Case No. 475 of 2020.

Let it be so corrected and read accordingly.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 370, 371 of the Indian Penal



Code and Section 3, 14 of the Child Labour Act 1986.

Prosecution case as lodged by the informant is that her both sons Dilkhus and Gulshan Kumar were taken to Jhalandhar (Punjab) for labour work in the firm by the petitioner and one Ram Pravesh Sada and when her husband went Punjab for bringing them then both the accused left for Khagaria. Thereafter, with the help of police her sons were recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that son of the informant knowingly went to Punjab to earn their livelihood at their own will. As per FIR, the informant herself stated that her son and one another went along with the petitioner for work in Punjab, therefore, Section 3 and 14 of the Labour Act is not applicable in this case. He further submits that petitioner bears no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 24.12.2020.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned



court below where the case is pending/successor court in connection with Sour Bazar (Patarghat O.P.) P.S. Case No. 475 of 2020.

(Anjani Kumar Sharan, J)

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