

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1768 of 2021

Arising Out of PS. Case No.-122 Year-2020 Thana- PATNA GRP CASE District- Patna

MD. MUSHTAQUE @ MD. MUSTAQUE ALAM @ MD. MUSHTAQUE
AHMAD Son of LATE ABBAS ALAM Resident of Village - Korra
Bishanpur, P.S.- Balia Belone, Distt.- Katihar, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Najeeb Ahmad

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2021 Heard both parties.

The petitioner seeks bail in Patna Junction GRP Case No. 122 of 2020, registered for the offence punishable under Sections 370, 374 of the Indian Penal Code and section 79 of JJ Act, section 3 of the Child Labour (Prohibition & Regulation) Act, 2016, section 4 of Prevention of Human Trafficking Act, 2014 and section 17 of Bonded Labour Act.

On secret information that some minor children are being trafficked by one person in Mahananda Express, raid was conducted and this petitioner along with three children namely Md. Ali aged about 17 years, Md. Zakir aged about 14 years and Md. Nurail @ Nurul aged about 17 years were apprehended.

It is submitted on behalf of the petitioner that



petitioner has falsely been implicated in this case. As a matter of fact, this petitioner being the neighbour was helping the children on the request of their respective families who were stuck at their native village due to COVID-19 Pandemic and he was carrying them to their fathers and in support of the same, has annexed affidavit of the respective parents which at annexure-2 series. Petitioner is in custody since 23.08.2020 and bears clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 the learned Magistrate, Railway Patna Junction, Patna in connection with Patna Junction GRP Case No. 122 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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