

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12235 of 2022

Arising Out of PS. Case No.-194 Year-2021 Thana- ATRI District- Gaya

1. Jawed Mian @ Jawen Mian, Son Of Idrish Mian Resident Of Saraunji, P.S.- Mahkar, Distt.- Gaya
2. Shahansha Mian @ Md. Shahansha, Son Of Jawed Mian @ Jawen Mian Resident Of Saraunji, P.S.- Mahkar, Distt.- Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2022 The learned counsel for the petitioner seeks permission to make rectification in the name of petitioner no.2.

Permission is accorded.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 370 of the Indian Penal Code, Sections 3, 4 and 7 of the Human Trafficking Act and Sections 14 and 15 of the Child Labour Act.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that two years back his minor son along with



his friends were playing when a person enticed his son and one Rahul Kumar on the pretext of offering them wages of Rs.5,000/- per month since then, his child is missing. It is next alleged that during inquiry, the informant received an information through local villagers that petitioners and two others took his son with them for working at a bangle factory. Accordingly, the informant went to the house of the co-accused Jawed Mian and further talked to his son on telephone. It is next alleged that after two years, the informant talked to his son and further, asked the accused to bring back his son. It is next alleged that the son of the informant came back home and further informed the informant that all the three accused including the petitioners assaulted him with iron rod on his neck and threatened him not to disclose it to anyone.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the same is absurd and cryptic. It is also submitted that it absolutely does not stand to reason that if the child of the informant was missing, it would have taken two years to institute the present F.I.R.

The learned Additional Public Prosecutor opposes the



anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 2,000/- (Rupees Two Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Atri P. S. Case No.194 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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