

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23180 of 2023**

Arising Out of PS. Case No.-216 Year-2022 Thana- MUZAFFARPUR RAIL P.S. District-
Saran

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Alka Ali Son Of Ayub Resident Of Village-Nayatola Udaypur, PS- Awadhpur,
Dist Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar
		Ms. Priyanka Kumari, Advocates
For the Opposite Party/s :		Mr. Mukesh Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since 18.08.2022, in connection with Muzaffarpur Rail P.S. Case No. 216 of 2022, F.I.R. dated 17.08.2022 registered for the offences punishable under Section 370(V) of the Indian Penal Code, 79 of the J.J. Act, 2015 and 14(1) Child Adolescent Labour (Prohibition and Regulation) Act.

The allegation against the petitioner that he is involved in human trafficking and child bondage practice, where 12 minor children were rescued from the petitioner and other co-accused persons while they were in boarding process at Muzaffarpur Railway Station for Amritsar, Punjab.

Learned counsel for the petitioner submits that the



petitioner has clean antecedents and he has been falsely implicated in the present case on the basis of suspicion. He further submits that the name of the petitioner has been transpired during investigation on the basis of statement of rescued children and the children has also named the other accused persons. He further submits that altogether seven accused persons were apprehended and out of seven, six accused persons namely Ejaj Alam, @ Md. Ejaj Alam has been granted bail by a Coordinate Bench of this court vide order dated 25.02.2023 passed in Cr. Misc. No. 66532 of 2022 and another co-accused persons namely md. Ahmad, Sanjiv Kumar Mandal, chandan Yadav, md. Aloamgir, Sushil Mandal have been granted bail by a Coordinate Bench of this Court vide order dated 16.03.2023 passed in Cr. Misc. No. 70689 of 2022 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 18.08.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned R.J.M. Sonpur (Saran) in connection with Muzaffarpur Rail P.S.



Case No. 216 of 2022, subject to the following conditions :-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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