

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43880 of 2022**

Arising Out of PS. Case No.-32 Year-2022 Thana- MANIYARI District- Muzaffarpur

MOHAN SAH Son of Late Fuldena Sah Resident of village Ratwara, P.s-
Pear, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh
For the Opposite Party/s : Mr. Satya Nand Shukla

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 17-02-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 370(iv), 304 of the Indian Penal Code.

As per the FIR, the petitioner took away the son of the informant through persuasion for getting work in a company in Rajasthan. On 30.01.2022, the dead body of his son came through an ambulance and when he made a call to the petitioner, he was told that his son was ill, hence he arranged a bus ticket for him and he was not aware what happened after that. It is alleged by the informant that the petitioner committed child labour with his son without giving proper food due to which he became ill and died.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He further submits that the informant has not lodged the case against the petitioner knowingly but under the pressure of villagers he filed the present case before the learned court below, which is also apparent from the Annexure-3 of the bail petition. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, 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 Maniyari P.S. Case No.32 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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