

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62265 of 2023**

Arising Out of PS. Case No.-183 Year-2023 Thana- BAHERI District- Darbhanga

Aman Kumar, S/O Late Bindu Bhagat, R/O Village- Baheri, Ps. Baheri, Dist. Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

3 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Baheri P.S. Case No. 183 of 2023, registered for the offences under Sections 3, 3(A), 14(1) of the Child Labour Prohibition and Regulation Act and Section 370 of the Indian Penal Code.

3. As per prosecution case, two adolescent/child labourer were found working in the line-hotel of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The FIR was lodged after delay of more than 24 hours as the informant found two minor



children doing work of labourer in the installation of the petitioner on 05.06.2023 but he lodged the FIR after delay of 24 hours on 06.06.2023 without any explanation. The informant did not record the statement of the parents of the children. Learned counsel further submits that the provisions of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 are bailable and Section 370 of IPC has been incorporated to make the offence serious. There is no allegation of trafficking against the petitioner. No complaint in this regard has been made against the petitioner. Petitioner is also accused in a case of Bihar Prohibition and Excise Act and in which he is on bail.

5. Learned APP opposes the prayer for bail submitting that two minor children were found working in the hotel of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the distinct lack of material against the petitioner to connect him with the offence as alleged and further considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/-



(Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Darbhanga/court concerned in connection with Baheri P.S. Case No. 183 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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