

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66532 of 2022

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

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Ejaj Alam @ Md. Ejaj Alam S/O Safi Alam @ Safi Alam Ansari, Resident of
village- Maisaha, P.S.- Parihar, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 25-02-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of four weeks from today.

Heard Mr. Sanjay Kumar, learned counsel appearing
on behalf of the petitioner and the learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Muzaffarpur Rail P.S. Case No. 216 of 2022
registered for the offences punishable under Section 370 (V) of
the Indian Penal Code, Section 79 of the Juvenile Justice Act
and Section 14(1) of Adolescent Labour (Prohibition and
Regulation) Act, 1986.

The petitioner and other co-accused persons is alleged



to be involved in child trafficking, moving along with children apprehended by the police personnel. It is alleged that this petitioner was apprehended alongwith a boy “Salman Ansari” and other co-accused persons also apprehended along with other minor children, who were taken to the different places for engagement in private job.

Learned counsel appearing on behalf of the petitioner submits that so far the boy “Salman Ansari” is concerned, he is full brother of the petitioner and in fact on the alleged date of occurrence, they were going to Punjab, to meet their father, where he has been working in a private factory. He next submits that the aforesaid facts can also be verified by the Aadhar Card, which has been brought on record by the petitioner. He next submits that the petitioner has no concern with the other accused persons, however, only on suspicion, his name has been implicated in this case and this fact can also be fortified for the reasons that the petitioner has never been involved earlier in any such type of crime. He next submits that the petitioner is a poor labourer and now, he is in custody for over a period of six months and the charge-sheet has already been submitted and, as such, there is no chance of tampering of the evidence or intimidating the witnesses.



On the other hand, learned APP for the State vehemently opposes the bail application and submits that ample materials have come during the course of investigation, suggesting the involvement of the petitioner.

Regard being had to the submissions made on behalf of the parties and considering the materials available on record, suggesting the fact that the recovered boy is full brother of the petitioner, coupled with the period of custody and fair antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Sonapur in connection with Muzaffarpur Rail P.S. Case No. 216 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates



without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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