

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71831 of 2022

Arising Out of PS. Case No.-111 Year-2022 Thana- DANAPUR RAIL P.S. District- Patna

1. Sarfaraz Alam Son of Late Md. Shahid R/v- Kathamatha P.S.- Kochadhaman District- Kishanganj
2. Perwaiz Alam Son of Jamaluddin R/v- Rani, P.S.- Kochadhaman, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail, who are in custody since 19.07.2022, in connection with G.R.P. Danapur P.S. Case No. 111 of 2022, F.I.R. dated 19.07.2022 registered for the offences punishable under Section 370 of the Indian Penal Code and Section 79 of the J.J. Act.

The prosecution case, in brief, is that the informant along with other officials as per the guidelines “*Bachpan Bachao Campaign*” were on duty and in the meantime they saw that six children were hiding themselves at Danapur Platform No. 1 then informant reached there when asked upon them two



uncles are accompanying them. On interrogation, they were disclosed that these children were being taken to get some kind of job to Surat in different companies.

Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case on the basis of suspicion and in fact the children were going to Surat to meet their relatives along with the family members of the petitioners. He further submits that the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 19.07.2022.

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

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Patna in connection with G.R.P. Danapur P.S. Case No. 111 of 2022, subject to the following conditions :-

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

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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