

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74403 of 2022

Arising Out of PS. Case No.-47 Year-2021 Thana- MUZFFARPUR GRP CASE District-
Muzaffarpur

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1. MD. ZAFEER Son of Md. Satto Resident of Village- Ballipur, Pavsauna,
P.S.- Hathauri, District- Samastipur
 2. MD. ZAKIR Son of Md. Hakeem Resident of Village- Shahee Bhalura, P.S.-
Aurace, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-01-2023 No one represent the petitioners.

The case is registered under sections 370, 34 of the Indian Penal Code and Section 75, 79 of Juvenile Justice (Care & Protection of Children) 2015 as well as Section 14 of the Child & Adolescent, Labour (Prohibition & Regulation) Act, 1985, in connection with Muzaffarpur Rail (Samstipur Division) P.S. Case No. 47 of 2021 corresponding to Sessions Tr. No. 203/22.

The petitioners had earlier moved before this Court in Cr. Misc. No. 51930 of 2021 which was rejected on 4.4.2022.

The prosecution story reads as follows:

The informant Anil Kumar, Railway Child Line Co-



ordinator on 12.5.2021 along with his associates was standing at Platform No. 3 05162 Manduadih (Varanasi) Train arrived and he saw 6-7 minor children moving along with these petitioners. Upon query, the children failed to give satisfactory reply and could not say their names and addresses. Upon confronting these petitioners, it was revealed that they were taking the minor children to Jaipur from child trafficking.

A perusal of the bail application shows that the petitioner has remained in custody since 13.5.2021 and as per para-3, he does not have any criminal antecedent, this Court is inclined to grant him relief with conditions.

Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-1, Muzaffarpur, in connection with Muzaffarpur Rail (Samstipur Division) P.S. Case No. 47 of 2021 corresponding to Sessions Tr. No. 203/22 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show their bona fide;

(ii) the petitioners shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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