

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81282 of 2023**

Arising Out of PS. Case No.-214 Year-2023 Thana- SAMSTIPUR RAIL P.S District-  
Samastipur

MD RUSTAM Son of Md Jamal R/o vill - Dudhpura ward no. 7, P.S. -  
Hasanpur, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ram Prawesh Kumar  
For the Opposite Party/s : Mr.Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      18-12-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 370 of the Indian Penal Code, section 79 of the Juvenile Justice Act and section 3/14 of the Child Labour Act.

3. As per prosecution case, the petitioner is said to have been indulged in child trafficking who was arrested from Samastipur Junction and from whose possession, five minor children were recovered. It is further alleged that the petitioner took the children for child labour.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. It is also submitted vide para 8 & 9 of the petition that the petitioner came at railway station with his cousin namely, Md. Aslam who was going to Ahamdabad but on the basis of suspicion, the petitioner was arrested by police. The children were present in waiting room with whom, this petitioner has no concern. It is further submitted that the petitioner has got no criminal antecedent and he is languishing in judicial custody since 21.9.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Samastipur Rail P.S. Case No. 214 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, 1<sup>st</sup> Class, Samastipur.

**(Sunil Kumar Panwar, J)**

Amandeep/-

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