

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4814 of 2024

Arising Out of PS. Case No.-402 Year-2023 Thana- BANMANKHI District- Purnia

1. MD. ASIF @ MD. ASIF ALI SON OF MD. ISMAIL RESIDENT OF VILLAGE - CHANDBELA, P.S. - BANMANKHI, DISTRICT - PURNEA
2. SUNIL KUMAR SON OF NARAYAN MANDAL RESIDENT OF VILLAGE - TILAKPUR, P.S. - JANKINAGAR, DISTRICT - PURNEA

... .. 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.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-02-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Banmankhi PS case no. 402 of 2023, disclosing offences punishable under Section 363(A) and other allied sections of the Indian Penal Code, Child Labour Act, 1986, 3/3(A), 74, 88, 80, 85, 87, 42, 33, 34(A) of Juvenile Justice Act, 2015.
3. As per the First Information Report, on 05.09.2023, the informant who is the Labour Enforcement Officer, raided the hotels of petitioners and found that two children namely Bharat Kumar, aged about 13 years and Ajay Kumar @ Golu Kumar, aged about 12 years were working in the hotels.
4. Learned Counsel for the petitioners submits that



petitioners have falsely been implicated in this case, they have not taken work from the victim boys and the petitioners have been made accused in this case in order to pressurize them. He further submits that that no complaint whatsoever was ever made by the parents of the children before any competent authority. He next submits that on the date of occurrence, the age of Golu Kumar as per the Transfer Certificate was 16 years.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with Banmankhi PS case no. 402 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

rinkee/-

U		T	
---	--	---	--

