

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28326 of 2024

Arising Out of PS. Case No.-430 Year-2023 Thana- MUZAFFARPUR RAIL P.S. District-
Saran

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Raja Babu @ Rajan Son of Virendra Ram @ Virender Ram Resident of Vill.-
Jaisingpur Khirba, P.S.-Turkauliya, Distt.-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Kamlesh Kumar Pathak, Advocate
For the Opposite Party/s :	Mr. Awadhesh Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

5 05-08-2024 Learned counsel for the petitioner is permitted to
correct the age of the petitioner in course of the day.

2. Office is directed to change the age of the petitioner
in the cause title list.

3. Heard learned counsel for the petitioner and learned
APP for the State.

4. The petitioner is in custody in case registered for
the offence under Sections 370 of the Indian Penal Code and
Section 79 of the Juvenile Justice Act, 2015 read with Section
3/14 of the Child Adolescent Labour (Prohibition and
Regulation) Act, 1986.

5. As per allegation in the FIR, it is alleged that
petitioner is involved in child trafficking and on 18.12.2023, he



was apprehended with four children in the train.

6. Learned counsel for the petitioner submits that petitioner has committed no offence and has falsely been implicated in this case due to ulterior motive. He next submits that alleged recovery was not made in accordance with the law and he is not involved in the alleged offence and maliciously dragged in this frivolous case. From perusal of paragraph nos.17, 80, 81, 100 and 103 of the case diary, it appears that the father of the victims stated before the investigating officer under Section 161 of the Cr.P.C. that the father of the victims himself sent his children to work with the petitioner as the father was unable to do the work and the petitioner has not instigated the children, as such, there is no case of human trafficking but only the case of child labour and the father has agreed for the same and send his children. Petitioner is in custody since 19.12.2023 and petitioner has got clean antecedent as stated in para-3 of the petition.

7. Learned APP for the State opposes the prayer for bail of the petitioner.

8. Under the aforesaid facts and circumstances as well as statement of the father of the victims, let the above named petitioner be released on bail 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,
Sonepur in connection with Muzaffarpur Rail P.S. Case No. 430
of 2023.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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