

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41072 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- KHAGAUL District- Patna

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Amit Kumar S/o Sri Subhash Ray Resident of Village-Akbarpur, P.O-
Sorampur, P.S.- Naubatpur, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harshit Griyaghey, Adv.

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Khagaul P.S Case No. 62 of 2024 dated 23.02.2024 registered for the offence punishable under Sections 341, 363, 370, 372, 120B read with Section 34 of the Indian Penal Code and Section 75, 80 and 81 of Juvenile Justice Act.

3. As per the prosecution case, on secret information, police intercepted a car and a motorcycle and recovered a newly born child from the possession of the co-accused Usha Devi who was sitting in the car while the petitioner was sitting on the motorcycle. On interrogation, the co-accused Usha Devi said



that she had taken the said child from the co-accused Dr. Parmanad Kumar, Proprietor of Manipal Emergency Hospital, Agamkuan, Patna and was going to deliver the same to another person. It is alleged that the petitioner and the co-accused persons were involved in the business of child trafficking.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner is not the owner of the said vehicle. The petitioner is the driver of the said vehicle but he has no knowledge regarding the infant baby kept in the lap of Usha Devi. The petitioner just due to the virtue of being the driver of the said vehicle was apprehended from the place of occurrence. Learned counsel has further submitted that the petitioner has no concerned with the alleged occurrence. The co-accused person has already been granted regular bail by this Court vide order dated 15.05.2024 passed in Cr. Misc. No. 34887 of 2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Danapur in connection with Khagaul P.S Case No. 62 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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