

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48357 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- SASARAM RAIL P.S. District- Gaya

Sanjay Kumar Son of Jagdish Bhuiyan Resident of Vill- Dani Bigha, Ward No.-2, P.S.- Nagar Aurangabad, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Adv.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Sasaram Rail P.S. Case No. 34 of 2024 instituted for the offences under Section 370 of the Indian Penal Code and Section 79 of the Juvenile Justice Act.

3. As per prosecution case, the accusation against the petitioner is of trafficking of minor children for their engagement in the child labour.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He submits that on the request of parents of the children, the



petitioner was carrying the children to Gujarat to engage them in a company. The petitioner is neither an agent of the company nor was carrying the children with him with an intention to earn money. There is also no complaint whatsoever against the petitioner by the parents of the children. The petitioner has no criminal antecedent and is languishing in judicial custody since 03.04.2024 without any rhyme or reason. Charge-sheet has been submitted against the petitioner.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner is named in the F.I.R. and there is direct allegation against the petitioner of trafficking of minor children. He further submits that total six children were procured by the police. The police after investigation submitted charge-sheet against the petitioner under Section 370 of the Indian Penal Code and Section 79 of the Juvenile Justice Act. The offence alleged is serious in nature and, thus, the petitioner does not deserve bail.

6. Having heard learned counsel for the parties as also considering the nature and gravity of offence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner,



above named, is rejected with a direction to the court below to expedite the trial.

(Rudra Prakash Mishra, J)

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