

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10688 of 2025

Arising Out of PS. Case No.-15 Year-2024 Thana- Bhimnagar District- Supaul

Ram Kumar Gupta @ Ram Babu S/O Hari Shankar Prasad Gupta @ Hari Prasad Gupta R/O Bhimnagar, P.S- Birpur, District- Supaul, Bihar- 854338.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate
For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 12-05-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Bhimnagar P.S. Case No. 15 of 2024 instituted under Sections 363, 370, 34 of the Indian Penal Code lodged on 13.05.2024 by the informant, Bhavna,

3. As per the prosecution story, the informant, Police Officer alleged in the FIR that on secret information about movement of human trafficking, a bus moving from Nepal to Rajasthan was intercepted and minor girls/boys were found to be traveling with Nirmal Sada. According to Nirmal Sada, this petitioner made the children to sit in the bus going to Simrahi from Saharsa, fair was paid and with further information that they will be taking the next bus to Rajasthan where the children were to be handed over to Raju Choudhary.



4. Learned Senior Counsel submits that admittedly, he has no role to play, the children were moving on their own, only on the basis of suspicion, the FIR.

5. He has taken this Court to the learned Sessions Judge order to show that the minor children in their 164 Cr.P.C. statement has recorded that they were going to Ratanpura to attend the marriage when they were intercepted by the Police. Though, the Court records that there was no such marriage as the children have recorded.

6. Learned APP opposes the prayer submitting that he has criminal antecedent.

7. Considering the submissions of the parties as also statement of the victim children, whether the marriage was there or not, the fact remains that the children had made a statement, the petitioner was not at the spot, it was Nirmal Sada with whom the children were traveling, on his statement, the name has come, in that background, this Court this Court is inclined to extend him the privilege of anticipatory bail subject to the following conditions:

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing



bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Bhimnagar P.S. Case No. 15 of 2024 to the satisfaction of learned District and Additional Sessions Judge-III, Supaul, Bihar subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ravi/-

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

