

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41720 of 2025

Arising Out of PS. Case No.-66 Year-2024 Thana- MOTIHARI RAIL P.S. District- West
Champaran

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Sadare Alam @ Sadre Alam Son of Md. Manjoor Resident of Village -
Khoripakar, Ward No.- 05, P.S.- Patahi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Adv.
For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 04-07-2025 This is the 2nd bail application of the

petitioner/applicant. The first bail application has been

dismissed as withdrawn vide Order dated 09.05.2025 with the

liberty to revive the same after framing of the charge.

2. Learned counsel for the petitioner submit that the

charges have been already framed against the petitioner on

24.01.2025 however, this fact was not known to the counsel

appearing at the time of hearing of withdrawing of the first bail

application.

3. The petitioner/applicant is seeking his regular bail

in connection with B.M.K.I. Rail P.S. Case No. 66 of 2024 for

the offences punishable under Section 143(5) of B.N.S., Section

3 of Bonded Labour System (Abolition) Act, 1976, Section 14



of the Child Labour Prohibition Act, 1986 and Section 79 of the Juvenile Justice (Care & Protection of Children) Act.

4. According to the case of prosecution, it is alleged that on 30.09.2024 at the time of checking two minor boys were found on the platform aged about 15-16 years. It is alleged that the present applicant was taking them along with him for doing the labour work at Amritsar. On the basis of this, offences has been registered against the present applicant and he was taken in custody on 01.10.2024.

5. Learned counsel for the petitioner submits that the petitioner is innocent and falsely implicated in this case. Bare perusal of the FIR and other materials available on record, it *prima facie* appears that it is a case of child labour and not human trafficking. Lastly, he submits that the petitioner/applicant has no previous antecedent and he is in custody since 01.10.2024, charges have already been framed and trial will take some time. Therefore, on these grounds, it is prayed by the counsel that the petitioner may be granted benefit of regular bail.

6. Learned counsel appearing on behalf of respondent-State opposes the prayer of bail.

7. Considering the submissions made by both the



counsels and further considering the detention period of the applicant. I am of the view that the petitioner should be granted the benefit of bail. Accordingly, the petition is allowed. The petitioner is directed to be released on bail in connection with B.M.K.I Rail P.S. Case No. 66 of 2024 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties, to the like amount each to the satisfaction of the learned J.M, Railway at Bettiah, West Champaran.

(Arvind Singh Chandel , J)

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