

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1414 of 2025

Arising Out of PS. Case No.-103 Year-2024 Thana- RAIL HAJIPUR District- Vaishali

Md. Nasim S/o- Hasifur @ Hasibur Rahman Resident of Village-Sikarpur, Ps-
Awadhpur, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Pathak, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 08-04-2025 Heard Mr. Kamlesh Kumar Pathak, learned
counsel for the petitioner and Mrs. Renu Kumari, learned APP
for the State.

2. The petitioner seeks bail in connection with Hajipur
Rail P.S. Case No. 103 of 2024, instituted for the offences
punishable under Section 143(5) of the Bharatiya Nyaya
Sanhita, 2023 read with Section 79 of the Juvenile Justice Act,
2015 and Section 14 of the Child Labour (Prohibition and
Regulation) Amendment Act, 2016.

3. The prosecution case, in short, is that, three
children have been recovered from the custody of the petitioner
on train and he admitted that he was taking them to work in
hotels and the children were rescued by the police.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the children alleged to have been recovered from the custody of the petitioner are inhabitants of the village of the petitioner and parents of those children have sent them with the petitioner for a tour. It is further submitted that the recovered children were not found engaged in any sort of work, nor they have made any complaint in this regard. The petitioner is in custody since 16.08.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that there is specific allegation against the petitioner of child trafficking and child labour and after due investigation the case was found true. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.



7. The prayer is rejected at this stage. The trial Court
is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

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