

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9287 of 2026

Arising Out of PS. Case No.-188 Year-2025 Thana- BARBIGHA District- Sheikhpura

Shrawan Kumar @ Shrawan Mahto S/o- Ramji Lal R/v- 319 Sector 8, Urban
Estate Karnal Ps- Karnal Dist- Karnal Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 26-02-2026 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Barbigha Police Station Case No. 188 of 2025, dated 11.10.2025, disclosing offences punishable under Sections 143(3)/3(5) of the Bhartiya Nyaya Sanhita, 2023 and Sections 9/12/25/26 of the Inter-State Migrant Workman Act, 1979.
3. The prosecution case, as per the First Information Report lodged by the Labour Superintendent, Sheikhpura, is that two buses were parked on the Barbigha-Sheikhpura road on 10.10.2025, in which many labourers were sitting. Upon enquiry by the officials, with the help of the police, it was found that local contractor, Shambhu Prasad, was



transporting the labourers to a job site of brick kiln of which the petitioner is the owner. The local contractor was not having any license. A total number of 60 male and females workers were present in both the buses, who told the authorities that they were going for work through local contractor.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive by the labour officials. The petitioner has been made accused merely because he happens to be the owner of the brick kiln. It is not the case of the prosecution that the workers were forcibly employed by the petitioner. It was the local contractor who brought the workers for performing some works. The workers, who were sitting in the buses, were not minor and it does not stand to reason that all the workers, 68 in numbers, would work in the brick kiln of the petitioner.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of the allegation against the petitioner, who is the owner of the brick kiln and the petitioner is not the contractor, who has brought the workers, I am inclined to grant the



petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sheikhpura, in connection with Barbigha Police Station Case No. 188 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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