

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33056 of 2026

Arising Out of PS. Case No.-12 Year-2026 Thana- CHAPRA RAIL P.S. District- Saran

Md. Kamaal @ Md. Kamal @ Mohammad Kamal Son of Md. Halim
Resident of Village- Madhepura, P.S.- Madhepura, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2026 Heard Mr. Raghvendra Kumar Singh, learned
counsel for the petitioner and Mr. Bhanu Pratap Singh, learned
APP for the State.

2. Petitioner seeks bail, who is in custody since
29.01.2026, in connection with Chapra Rail P.S. Case No. 12 of
2026, F.I.R. dated 28.01.2026 registered for the offences
punishable under Sections 143(v) of the B.N.S. and 79 of J.J.
Act and 3/14 of Child Adolescent Labour (Prohibition and
Regulation) Act, 1986.

3. The petitioner is said to have indulged in human
trafficking and he is taking the children to Punjab for labour
work in the train.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. The guardian of the children/victim have filed an affidavit stating therein that the children were going to Punjab for to meet his family members with the petitioner and other co-accused persons (Annexure-P/2 series). Learned counsel for the petitioner further submits that for the same set of allegation co-accused person, namely, Suraj Kumar has been granted bail by this Court vide order dated 21.04.2026 passed in Cr. Misc. No. 26551 of 2026. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 29.01.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Sonapur/concerned Court, Saran at Chapra in connection with Chapra Rail P.S. Case No.



12 of 2026, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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