

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74420 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- Haraiya District- East Champaran

Ashraf Ali @ Asraf Ali S/o Asrar Ali R/o Village- Nurpur, P.S.- Kadar Chauk,
District- Badai/ Budaun, State- Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 85638 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- Haraiya District- East Champaran

Nek Mohammad Son of Sahid Miya @ Mohammad Sahid Resident of
Village- Chandranigahpur, Ward No. 4, P.S.- Chandranigahpur, District-
Rautahat, Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 74420 of 2025)

For the Petitioner/s : Mr.Kundan Rathore Alias Kundan Kumar

For the Opposite Party/s : Mr.Binod Kumar

(In CRIMINAL MISCELLANEOUS No. 85638 of 2025)

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 26-02-2026 As both these bail applications arise out of the same

police station case number, hence, with consent of parties, they

are being heard together and disposed of by this common order.

2. Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

3. The petitioners seek bail in a case registered for the
offence punishable under Section 143 of the B.N.S., Section 79
of the J.J. Act, and Section 14(A) of the Child Labor and



Prohibition and Regulation Act.

4. As per FIR, the petitioners were apprehended by the police along with three minor girls and two minor boys. It is alleged that all the victims are minor and it is a case of human trafficking.

5. Learned counsel for the petitioners has submitted that the petitioners have been made accused in this case with allegations that they had taken along with them minor children for the purposes of providing them jobs and the children have given statements upon being recovered that it was their parents who had sent them along with the petitioners for the purposes of earning money by doing job on account of their poor financial condition. They have specifically stated that they were neither kidnapped nor were being taken forcibly without the consent of their parents. It is thus submitted that it is not a case of human trafficking but, at best, a case in violation of the provisions of child labour. Further, the petitioners are in custody since 02.07.2025 with no criminal antecedent.

6. Learned APP for the State has opposed the application for bail.

7. Taking into consideration the facts and circumstances and also considering the statements of the minor



children recorded during the course of investigation which basically relates to child labour and with no allegation of any kidnapping or they being subjected to any exploitation, let the above named petitioners, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Haraiya P.S. Case No. 80 of 2025.

(Soni Shrivastava, J)

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