

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8252 of 2025**

Arising Out of PS. Case No.-228 Year-2024 Thana- SAMASTIPUR GRP CASE District-
Samastipur

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Kutai Mahto So of Late Jagdish Mahto Resident of Village- Lilaghat Bind
Toli, Ward No. 04, P.S.- Falka, Distt.- Katihar (Bihar)

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER**

3 28-02-2025 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner seeks bail in connection with
Samastipur Rail P.S. Case No. 228 of 2024 dated
01.10.2024 registered for the offence punishable under
Sections 143 and 3(5) of the Bhartiya Nyay Sanhita read
with Section 79 of the Juvenile Justice Act and Section 3/14
of the Child Labour Act, 1986.

3. The allegation against the petitioner and one
other accused person is that they were taking four children
to Ambala for the purpose of human trafficking.

4. Learned Counsel for the petitioner submits that



the petitioner is innocent and has been falsely implicated in this case. It is submitted that the allegation against the petitioner and co-accused, namely, Baijyanath Sada is general and omnibus. It is submitted that none of the four children whispered anything adverse against the petitioner. It is submitted that he has been implicated only on the basis that out of four children, three children were resident of the nearby village. It is also submitted that the father and mother of one of the children, namely, Karan Kumar has sworn affidavit dated 11.12.2024 and they have not raised any adverse remarks against the petitioner at all. It is submitted that all the four children were handed over to their respective parents. It is further submitted that co-accused, namely, Baijyanath Sada has been granted bail vide order dated 12.02.2025 passed in Criminal Miscellaneous No. 4269 of 2025 by this Court. Lastly, it has been submitted that the petitioner is in custody since 02.10.2024, having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Railway, Samastipur in connection with Samastipur Rail P.S. Case No. 228 of 2024.

(Khatim Reza, J)

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