



2026:CGHC:13185



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2579 of 2026

Firoz Ali Mondal S/o Late Hekmat Mondal Aged About 28 Years R/o Village Dheurchanda, Police Station Monteshwar District East Verdhman West Bengal, At Present R/o Room No. 07, Plot No. 22, Ncc Malwani Malad West Malwani Mumbai (Maharashtra)

--- Applicant(s)

versus

State Of Chhattisgarh Through Station House Officer, Police Station G.R.P. Raipur, District Raipur (Chhattisgarh)

--- Respondent(s)

For Applicant(s) : Mr. Ali Afzaal Mirza , Advocate.

For Respondent(s) : Mr. Saumya Rai, Dy. G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

19/03/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No. 147/2025 registered at Police Station G.R.P. Raipur, District Raipur (C.G.) for the offence punishable



under Sections 143, 143(5) of BNS.

2. Case of the prosecution, in brief, is that on 10.12.2025, a team of Bachpan Bachao Andolan along with the Railway Child Helpline rescued six minor children from Train No. 12810 (Howrah to Mumbai) from Sleeper Coaches No. S/2 and S/3. It is alleged that the present applicant was accompanying the said minor children and was taking them from Howrah to Mumbai by luring them with money for the purpose of exploitation. Thereafter, the applicant was de-boarded from the said train and upon being questioned, he disclosed that the children were being taken to Mumbai. Acting upon the said information, the complainant, Vijay Kumar Sahu (Railway Child Line Supervisor), approached the police station and submitted an application stating that the applicant was taking six minor children for the purpose of exploitation after inducing them with money.
3. During the course of investigation, the applicant was interrogated and his memorandum statement was recorded. The travel tickets of the applicant and the minor children were seized and a seizure memo was prepared. It further transpired during investigation that the applicant was taking the children to engage them in work at a bangle designing factory by offering monetary inducement, which was found to constitute human trafficking. The applicant was arrested on 12.12.2025 and was produced before the learned Court, from where he was remanded to judicial custody.



Subsequently, the statements of the applicant, the victim children, their family members, and the Child Welfare Committee were recorded. Upon finding sufficient material, offences under Sections 143 and 143(5) of the BNS, 2023 were registered against the applicant. After completion of investigation, charge-sheet bearing No. 02/2026 was filed on 27.01.2026 before the Court of Special Railway Magistrate, Raipur (C.G.), and the matter is presently pending before the learned Second Additional Sessions Judge, Raipur, District Raipur (C.G.) as Sessions Case No. 81/2026. Hence, the bail application.

4. Learned counsel for the applicant submits that the present applicant has been falsely implicated in the instant case, as there exists no incriminating material to establish that the minor children were being taken for the purpose of exploitation in a bangle factory at Mumbai. The entire case against the applicant is based on mere suspicion and conjectures, without any concrete evidence to substantiate the allegation of inducement or exploitation. He further submits that the parents of the minor children have executed affidavits affirming that the applicant had not taken their children for any unlawful or exploitative purpose and that the allegations against him are false and fabricated. It is further submitted that the applicant and the minor children belong to nearby localities, and they were travelling together for the purpose of visiting Mumbai with the knowledge and consent of their guardians. In particular, the father of one of the children,



namely Dilawar Hussain Munshi, had informed his family members that his son would be travelling with the applicant and was to be dropped at Nagpur, where he would receive him.

5. Learned counsel for the applicant also submits that the train tickets bearing valid PNR numbers for Train No. 12810 (Howrah to Mumbai Mail Superfast Express) were duly seized, which clearly demonstrates that the journey was undertaken through lawful means and not in a clandestine manner. It is also submitted that the children were of an average age of about 16 years, with the youngest being 12 years old, and even the said child's father has supported the applicant by way of affidavit, thereby reinforcing that the children were travelling with due consent of their parents and not for any illegal purpose. The applicant is in jail since 12.12.2025, the applicant has no criminal antecedents, charge-sheet has been filed and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.
6. On the other hand, learned State Counsel opposes the bail application and submits that the charge-sheet has been filed in the present case. He further submits that the applicant was accompanying six minor children in Train No. 12810 (Howrah to Mumbai) and was allegedly taking them to Mumbai by luring them with money for the purpose of exploitation in a bangle designing factory, thereby committing acts amounting to human trafficking. It



is further alleged that upon being apprehended and questioned, the applicant disclosed that the children were being taken for work, therefore, the applicant is not entitled for grant of bail.

7. I have heard learned counsel appearing for the parties and perused the case diary.
8. Taking into consideration the facts and circumstances of the case, nature and gravity of offence, period of detention of the applicant since 12.12.2025, the fact that though the applicant is alleged to have taken six minor children from Howrah to Mumbai by luring them with money for the purpose of exploitation, amounting to human trafficking, but considering the fact that the all the six children were rescued safely and no harm was caused to them, further the applicant has no criminal antecedent and the charge-sheet has been filed, this Court is of the view that the applicant is entitled to be released on bail in this case.
9. Accordingly, the application is **allowed**.
10. Let the Applicant-**Firoz Ali Mondal**, involved in Crime No. 147/2025 registered at Police Station G.R.P. Raipur, District Raipur (C.G.) for the offence punishable under Sections 143, 143(5) of BNS, be released on bail on his furnishing a **personal bond** with **two local sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates



fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

- 11.** Office is directed to send a certified copy of this order to the trial Court for necessary information and compliance.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE