

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1952 OF 2015**

Anjana @ Anjali Toppo, D/o Imil Toppo, aged about 30 years Caste-Uraow,
R/o Village-Sihardand Kalia, Thana & Tahsil-Bagicha, Civil & Revenue
Distt.Jashpur, District Jashpur (CG)

---Applicant**Versus**

State of Chhattisgarh, Through: P.S.-Narayanpur, Distt-Jashpur C.G.

---Non-applicant

For Applicant	:	Mr. Sanjay Agrawal, Advocate.
For-Non-applicant	:	Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****20/07/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.128 of 2013, registered at Police Station-Narayanpur, Distt.Jashpur (C.G.), for the offence punishable under Sections 363, 366, 368 and 370(4)/34 of the IPC.
2. Case of the prosecution, in brief, is that, the present applicant along with other co-accused have abducted Rukmani Ekka and taken her to Delhi and handed over to the placement agency for exploitation.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in crime in question. He would further submit that incident took place in the year 2006 and F.I.R. has been lodged after seven years of the incident. There is no reasonable explanation of such delay. He would also submit that co-accused

Nagendra Toppo and Mu.Balmadina Toppo have admitted to bail by this Court vide order dated 3.3.2015 in M.Cr.C.No.1001 of 2015, therefore, the present applicant may also be released on bail.

4. On the other hand, learned State counsel would oppose the bail application and submit that the present applicant is main accused, who has taken Rukmani Ekka, daughter of the complainant Jangli Prasad Ekka, to Delhi and handed over to the placement agency and till date she has not recovered. The case of the present applicant is distinguishable from the co-accused who have been granted bail.

5. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence, role of the present applicant and the fact that case of the present applicant is distinguishable from other co-accused who have been granted bail, this Court is not inclined to release the applicant on regular bail.

6. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-
(Sanjay K. Agrawal)
JUDGE