

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4091 OF 2015**

Sumina Bai wife of Mahendra Tigga, aged about 28 years, Caste-Uraon,
resident of Village-Chalni, Police Station-Sanna, District-Jashpur (CG)

---Applicant

Versus

State of Chhattisgarh Through: Station House Officer, Police Station-Sanna,
District Jashpur (CG)

---Non-applicant

For Applicant	:	Mr. J.K.Sexana, Advocate.
For-Non-applicant	:	Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****18/08/2015**

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.6/2014, registered at Police Station-Sanna, District-Jashpur (C.G.), for the offence punishable under Sections 363, 370(4) and 371/34 of the IPC.

2. Case of the prosecution, in brief, is that, the present applicant and co-accused Satish Badaik are said to have abducted minor prosecutrix aged about 8 years in November, 2002 and said to have handed over to co-accused Vinod Nag & Dhaneshwar Sahu who were working in placement agency at Delhi for human trafficking and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. He would further submit that the applicant herself was minor on the date of offence and F.I.R. has been lodged on 8.1.2014. There is delay of 14 years in lodging the F.I.R. He would also submit that the applicant is in jail since 31.3.2015, charge-sheet has already been filed and no useful purpose will be served by detaining her in jail, therefore, she may be released on bail.

4. Learned State counsel would oppose the prayer for grant of bail and submit that the present applicant and co-accused Satish Badaik have abducted minor girl aged about 8 years and have subjected her to human trafficking and still she is missing and as such, the applicant is not entitled for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; the manner in which the minor girl is alleged to have abducted and subjected to human trafficking and still she is missing, this Court is not inclined to release the applicant on regular bail.

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

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-