NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Criminal Case No.2977 of 2015

Maniram Jatwar, S/o Jodhi Ram, aged about 55 years, Caste Satnami, R/o Village Navapara, Police Station Malkharauda, Revenue and Civil District Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through District Magistrate Janjgir-Champa, District Janjgir-Champa, Chhattisgarh and also through Police Station Baradwar, District Janjgir-Champa, Chhattisgarh.

---- Non-applicant

For Applicant:	Mr. Pushpendra Kumar Patel, Advocate.
For Non-applicant:	Mr. Qamrul Aziz, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

30/06/2015

1. Heard.

2. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.18/2015 (Criminal Case No.199/2015 pending in the Court of Judicial Magistrate First Class, Sakti), registered at Police Station Baradwar, Distt. Janjgir-Champa for the offence punishable under Section 370 (3) read with Section 34 of the IPC.

3. Case of the prosecution, in brief, is that the applicant and one co-accused Dhansai recruited the complainant and four other labourers and took them to Village Sumreli, Distt. Khushinagar (U.P.) for the purpose of trafficking and thereby committed the offence.

4. Learned counsel for the appellant would submit that the applicant has not committed any offence and he has been falsely implicated, as the complainant and other labourers have gone there voluntarily and they were

not compelled by the present applicant. The present applicant is in jail since 14-1-2015.

5. Learned counsel for the State would submit that the applicant is the main accused and has taken the complainant and other labourers to Uttar Pradesh for the purposes of exploitation / trafficking and therefore he is not entitled to be released on bail.

6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicant in the present case, pre-trial detention of the applicant and that charge sheet has already been filed, I am of the opinion that it is a fit case to admit the applicant to regular bail. Accordingly, the application is allowed.

7. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma