

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No. 4435 OF 2015**

B. Prakash Kumar Chandrakar S/o Late Bhupalan Chandrakar, Cast Kurmi, aged about 42 years, Permanent R/o Village Konari, P.S. Pulgaon, District Durg (CG), Presently R/o K.V.B. Colony, Paramani Road, P.S. & District Namakkal (Tamil Nadu)

---Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Chotadongar, District Narayanpur (Chhattisgarh)

---Non-applicant

For Applicant	:	Mr. Sourabh Sharma, Advocate
For Non-applicant	:	Mr. Qamarul Aziz, P.L. and Mr. S.R.J. Jaiswal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****02/09/2015**

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. 17/2014, registered at Police Station Chotadongar, District Narayanpur (C.G.), for the offence punishable under Sections 370, 374/34 of the Indian Penal Code and Section 20 of the Bonded Labour System (Abolition) Act, 1976.

2. Case of the prosecution, in brief, is that, in the month of June, 2014, co-accused Rajau @ Raja took Ku. Sarita to SSB Poultry Farm, Namakkal (Tamil Nadu) to work as bonded labour and present applicant unlawfully compelled her to work as labour against her will and even did not pay her due wages.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that main accused is Rajau @ Raja and applicant has paid all the wages. He would lastly submit that charge sheet has been filed and applicant is in jail since 29/05/2015 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

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; charge sheet has already been filed; pretrial detention of the applicant and the allegation against the applicant for non-payment of wages, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

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

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

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE