

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Criminal Case No.4613 of 2015

Dhansai Satnami, S/o Bhuru, aged 50 years, R/o Nawapara, P.S. Maalkharouda, District Janjgir-Champa (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through SHO Baradwar, District Janjgir-Champa (C.G.)

---- Non-applicant

For Applicant:	Mr. Ishwar Jaiswal, Advocate.
For Non-applicant:	Mr. Lav Kumar Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

07/09/2015

1. 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 (ST No.69/2015 pending in the Court of 5th Additional Sessions Judge, Sakti), registered at Police Station Baradwar, Distt. Janjgir-Champa for the offence punishable under Section 370 (3) read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the applicant and one co-accused Maniram Jatwar 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.
3. Learned counsel for the applicant 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 20-8-2015. He would further submit that co-accused Maniram

Jatwar has already been granted regular bail by this Court vide order dated 30-6-2015 passed in M.Cr.C.No.2977/2015 and case of the present applicant is similar to him.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
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 the fact that co-accused Maniram Jatwar who is similarly situated has already been released on bail, 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