

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6077 of 2015

Vinod Nag, S/o. Mangal Nag, Aged About 28 Years, Caste Teli, R/o. Village Blankel, P.S. Raniya, Distt. Khunti, Jharkhand

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, P.S. Sanna, Distt. Jashpur, Chhattisgarh

---- Respondent

For Applicant : Mr. J.K.Saxena, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure 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 Section 366, 370 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 08.01.2014 a report was lodged by the complainant Bhajan Ram alleging that one co-accused Satish Badaik have abducted his minor girl in November, 2002 and handed over to the present applicant Vinod Nag who was working in placement agency at Delhi for human trafficking and thereby committed the aforesaid offence.
3. Learned counsel for the applicant submits that the applicant was only an employee of the placement agency and no role has been played by him and the girl was left with the placement agency and thereafter the whereabouts of the girl is also not known to the applicant. He further submits that the applicant is in jail since

29.12.2014 and he has been falsely implicated in this case and there is a delay of 14 years in lodging the FIR. Therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail. He would further submit that the bail application of the similarly placed co-accused namely Sumina Bai has been rejected by the coordinate Bench of this Court in M.Cr.C. No.4091/2015 primarily on the ground that till date the girl is missing and, as such, the applicant is not entitled for bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case; considering the nature and gravity of offence and the manner in which the minor girl is alleged to have abducted and subjected to human trafficking and still she is missing; further considering the fact that the bail application of other co-accused Sumina Bai has been rejected by the coordinate Bench of this Court, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge