

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6500 of 2015

Dev Kumar @ Dev S/o Jena Ram Aged About 32 Years Caste -
Uraon, R/o Vill- Kukur Bhuka (Birni Toli), Tahsil- Pathalgaon, District
Jashpur(Chhattisgarh) Civil And Revenue District Jashpur, Distt.
Jashpur(Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh Through: Station House Officer, P.S. Bagbahar,
Distt.- Jashpur(Chhattisgarh)

---- Respondent

For Applicant	:-	Shri Manoj Chauhan, Advocate
For Respondent/ State	:-	Shri S.R. J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

01/12/2015

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. 90/2015 registered at Police Station- Bagbahar, District – Jashpur (C.G.) for the offence punishable under Section 363,370,(1) (3) (4) & 374 of IPC.
2. As per the prosecution case in brief is that the prosecutrix and the applicant alongwith one Mahesh who are residing in the same village and Mahesh has assured the prosecutrix to get herself employed at Delhi. Subsequently at the instance of Mahesh, the prosecutrix went to Delhi alongwith the applicant in the year 2013 wherein she worked at certain places in Delhi. The prosecutrix was working in the house of Sunil Bansal she disclosed the fact to one person who inturn registered the case against the applicant

and thereafter the prosecutrix was recovered and the case was registered against the applicant.

3. Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case and the charge-sheet has been filed and the applicant is in jail since 30.06.2015. He further submits that the prosecutrix of her own will went to Delhi and she worked at different places at Delhi and the applicant has not played any role for alleged commission of offence and therefore, prays he may be enlarged on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Having regard to the fact and the allegation levelled against the applicant and further taking into account the fact that the charge-sheet in this case has been filed and the applicant is in jail since 30.06.2015, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge