

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 1234 of 2015

1. Lalit Sarathi (wrongly mentioned as Sarakshi), S/o. Shri Ram Pratap, aged about 35 years, Caste - Ghasiya, Occupation- Agriculturist, R/o. Village Dhur, Post – Odagi, District – Surajpur (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the Station House Officer, Police Station – Odagi, District – Surajpur (C.G.)

---- Respondent

For Applicant	: Mr. Yogesh Kumar Chandra, Advocate
For Respondent/State	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11/12/2015

1. Apprehending arrest in connection with Crime No.95/2015 registered at Police Station- Odagi, District – Surajpur (C.G.), for offence punishable under Section 370 of the Indian Penal Code and Section 3/14 of Child Labour Act (Section 324 of I.P.C. wrongly mentioned in impugned order), the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, on 03.11.2015, a report was made by Dilmohan Singh, the father of Santan Singh that his boy aged about 12 years was studying at Class-7th, went out without any information. Subsequently it came to his notice that Kamlesh on the pretext that he would lodged in better school, he left the son of the complainant in the house of Lalit Sarathi and instead of study, he was engaged in work of shepherd and the amount has also not been paid to him.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that the applicant is the innocent person and Kamlesh has left the boy in his house and the applicant has given shelter to the boy and would submit that actually no offence has been committed by the applicant. Therefore, the counsel prays that the applicant may be extended the benefit of anticipatory bail.
4. Per contra, the learned State counsel opposes the bail application.
5. I have perused the case diary and the statement. Perusal of the statement shows that the boy himself stopped the study thereafter went along-with Kamlesh and thereafter he was kept in the house of this applicant. Taking into the nature of the offence and facts and circumstances of the case it appears that boy was given shelter in the house of the applicant. Therefore, taking in to statement and the facts and circumstances of the case without any observation on merits, this Court is inclined to extend the benefit of anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;

- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Balram