

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6973 of 2015

- Babulal S/o Moharsai Toppo Aged About 21 Years R/o Village Khadgaon, P.S. Sitapur, Distt. Sarguja, Chhattisgarh.

---- Petitioner

Versus

- State of Chhattisgarh Through S.H.O., P.S. Kapu, Distt. Raigarh, Chhattisgarh.

--- Respondent

For the applicant	:	Mr. Amit Singh, Advocate
For the Respondent	:	Mr. S.R.J. Jaiswal, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.12.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 48 of 2015 registered at P.S.Kapu, Distt. Raigarh, Chhattisgarh for the offence punishable under Sections 363, 370, 371, 374/34 of IPC.
2. Case of prosecution, in brief, is that the applicant along-with co-accused abducted the minor girl Ku. Balam and took her to Goa and thereafter, the victim girl was engaged as bonded labourer and no amount was paid for the work done by her.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated and there is no evidence of kidnapping and transporting the girl to Goa according to the statement of victim itself. He further submits that similarly placed co-accused has been enlarged on bail by the coordinate Bench of this Court in M.Cr.C.No.5194 of 2015 vide order dated 06.10.2015 and this applicant is in jail since 27.08.2015 and prays for releasing the applicant on bail.

4. Per contra, learned State Counsel opposes the bail application. However, he do not dispute the fact that co-accused Ajay Panna has been released on bail by the coordinate Bench of this Court.
5. Having regard to the totality of the facts and circumstances of the case and taking into nature of allegations and the role attributed to the applicant and also the fact that the co-accused has been granted bail by the coordinate Bench of this Court and further looking to the period of detention of the applicant as he is in jail since 27.8.2015, I am inclined to release the applicant on bail. Accordingly, the application is allowed.
6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the said Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**