

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5709 of 2015

Janardan Yadav, S/o. Shibo Yadav, Aged about 38 years, R/o. Village Khamhar, Tahsil & P.S. Dharamjaigarh, Civil & Revenue District Raigarh (C.G.).

---- Applicant

Versus

State of Chhattisgarh, Through: Station House Officer, Police Station-Dharamjaigarh, District Raigarh (C.G.).

---- Respondent

For Applicant : Smt. Indira Tripathi, Advocate

For Respondent : Shri Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27/10/2015

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.187/2015 registered at Police Station- Dharamjaigarh, District Raigarh (C.G.) for the offence punishable under Sections 363, 370, 374, 342/34 of IPC.
2. Case of the prosecution, in brief, is that other four co-accused persons abducted victim Ku. Sita Sidar in the year 2011 and taken her to Delhi and forced her to work against her will as bonded labour and did not make any remuneration and thereby committed the aforesaid offences.
3. Learned counsel for the applicant would submit that in the 161 statement no averments have been made against this applicant and only the averments have been made in the statement under Section 164. It is further submitted that the applicant is an

innocent and he has not committed any crime, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Earlier in M.Cr.C. No.5106/2015, the applicant in that case namely Rambhawati Yadav was granted bail by the co-ordinate Bench of this Court mainly on the ground that the main accused is Janardan Yadav i.e. the present applicant. Therefore, having regard to the facts and circumstances and the role played by this applicant and in view of the observation made in M.Cr.C. No.5106 of 2015, I am not inclined to allow this bail application.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge