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**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 974 of 2016**

1. Jay Kumar, son of Raja Sounder, aged about 37 years, resident of Village-Rashipuram, Namakkal (Tamilnadu)
2. Bapu Harchand Bhalerao (wrongly mentioned as Balerao) son of Harchand Mila Bhalerao (wrongly mentioned as Balerao), aged about 35 years, resident of Nehrunagar, Dharangaon, Jalgaon (Maharashtra)
3. Tikaram Sahu, son of Shyamlal Sahu, aged about 40 years, resident of Village Apil, Police Station – Malkharoda, District Janjgir-Champa (C.G.)

**---- Applicants****Versus**

State Of Chhattisgarh Through the Station House Officer,  
Police Station- Patthalgaon, District – Jashpur (C.G.)

**---- Respondent**


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For Applicant: Mr. Goutam Khetrapal, Advocate.  
For Respondent/State: Mr. Suvigya Awasthy, Panel Lawyer

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****14/03/2016**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 3/2016 registered at Police Station Patthalgaon,

District – Jashpur (C.G.) for the offences punishable under Sections 363,370(4) & 370(3) of Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 3.1.2016 applicant & other three co-accused persons kidnapped the minor complainant from her lawful guardianship for the purpose of trafficking.

(3) Counsel for the applicants submits that applicants have been falsely implicated in the offence in question and they have not committed any offence and simply they were present at Bus Stand and they were not taken the complainant to the any place for the purpose of trafficking and there is delay in lodging the FIR. He further submits that applicants are in custody since 03.01.2016 and the charge sheet has already been filed and, therefore, the applicants may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) I have heard counsel for the applicant and perused the case diary.

(6) Taking into consideration the facts & circumstances of the case; role the present applicants in the offence in question; further considering their pre-trial detention; extent of delay in lodging the FIR; and considering the facts that charge sheet has already been filed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is

allowed.

(7) Accused/applicants are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)  
Judge

D/-