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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 958 of 2016**

Arun Sah (Gupta), S/o Late Ramavtar Sah, Aged about 43 years, R/o Beersingh Pur, Thana Kalyanpur, Distt. Samastipur (Bihar) At present R/o R 339, Indrapuri, J.J. Colony, Jhuggi, Indrpuri, New Delhi (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh, Through Thana – Tumla, District Jashpur (C.G.)

---- Non-applicant

For Applicant:	Ms. Sharmila Singhai, Advocate.
For Non-applicant/State:	Mr. Neeraj Kumar Sharma, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****03/05/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 32/2015 registered at Police Station Tumla, Distt. Jashpur for the offence punishable under Sections 363, 370, 371, 374, 323 & 342/34 of Indian Penal Code and Sections 23, 26 & 3-14 of the Child Labour (Prohibition and Regulation) Act, 1986.

(2) Case of the prosecution, in brief, is that on 23.03.2015 co-accused – Sarojani kidnapped minor complainant Ku. Sumitra and taken her to Delhi and handed over her to the applicant, who is running placement agency, to work as labour and thereby committed the aforesaid offences.

(3) Learned counsel for the applicant submits that the applicant is running Placement Agency and only work was being taken from the complainant after making payment for it and there is no allegation against him of assault or he has sexually assaulted the complainant. He further submits that the applicant is in jail since 25.08.2015 ; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

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

(5) Taking into consideration the facts and circumstances of the case; role of the present applicant in the offence in question; further considering his pre-trial detention and the fact that main allegation of kidnapping is against co-accused Sarojini; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant – **Arun Sah (Gupta)** is directed to be released on bail on his 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. He is directed to 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/-

(Sanjay K. Agrawal)
Judge

D/-

