

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1803 of 2016**

S. Vedivel, S/o Shri P. Sengodan, Aged about 28 years, Caste-Chamar, Resident of Village Avinasippatty (P), Tahsil Tiruchengode, P.S. Tiruchengode, Revenue and Civil District – Namakkal (Tamilnadu)

---- Applicants**Versus**

State Of Chhattisgarh Through: Police Station Narayanpur, District Narayanpur (C.G.)

-----Non-applicant

For Applicant: Mr. Avinash K. Mishra, Advocate.
For Non-Applicant/State: Mr. Avinash Singh, PL

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****05/04/2016**

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. 91/2015 registered at Police Station Narayanpur (C.G.) for the offences punishable under Sections 363,370/34 of the Indian Penal Code read with Section 09 of the Bonded Labour System (Abolition) Act, and Section 26 of Juvenile Justice Act.

(2) case of the prosecution, in brief, is that the present applicant had taken the victims/complainants to village Tokawadi, Tirachangud (Tamilnadu) and where forged them to work as Labour against their wishes in the Bricks Factory and did not pay the remuneration for two months and, thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that the applicant has falsely been implicated in the offence in question as he has not committed any offence; and the complainants are willingly gone to Tamilnadu for searching job with the applicant. He further submits that main accused of the crime in question is Dashru Sori and the similarly situated co-accused Ku. Lakhi Potai @ Priyanka has already been released on bail by this Court in M.Cr.C. No.868/2016 decided on 2.3.2016 and the applicant is in detention since 28.10.2015 and, therefore, applicant may also be released on bail on the ground of parity.

(4) On the other hand, counsel for the State, after verifying the records, would submit that case of the present applicant is similar to co-accused-Ku. Lakhi Potai @ Priyanka, who has been granted bail by this Court in M.Cr.C. No.868/2016.

(5) Taking into consideration the facts & circumstances of the case; looking to the nature and gravity of the offence; further considering the fact that similarly situated co-accused Ku. Lakhi Potai @ Priyanka has already been released on bail; his pre-trial detention and the 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.

(6) Accused/applicant 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.

Sd/-

(Sanjay K. Agrawal)

Judge

