

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4231 of 2016

Suman Toppo S/o Zeviou Toppo, Aged About 38 Years, Caste -
Uraon, R/o Vill - Kukurbhuka, Thana - Bagbahar, Tahsil -
Pathalgaon District Jashpur Chhattisgarh Civil & Revenue District
Jashpur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Officer, P.S. -
Bagbahar, Distt. - Jashpur Chhattisgarh

---- Respondent

For applicant - Shri Manoj Chauhan, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

2/08/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.90/2015 registered in Police Station Bagbahar, District Jashpur (C.G.) for offence punishable under sections 363, 370 (1) (3)(4), 374 & 34 of Indian Penal Code.
2. As per the prosecution case, prosecutrix alongwith one Mahesh and Sachin went to Delhi wherein she was assured to be employed. Subsequently, she from Delhi went to the house of one Sushil Banshal wherein she was made to work as a domestic help and she wanted to go back which she was not allowed. Subsequently, report was made to the police and the victim was rescued by the child activist and was kept in ashram and thereafter case was registered.
3. Learned counsel for the applicant submits that the victim who is a major herself has went to Delhi to earn livelihood and nothing has been attributed against this applicant. In the year 2013 though victim has stated to have been gone to Delhi but no report was made but it was known to

everybody that she went to Delhi to earn livelihood. Subsequently, she came back and report is made. He submits that nothing has been stated against this applicant, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of the victim under Section 164 of Cr.P.C. wherein prima facie no allegations have been attributed against the applicant. Considering the same and other statement and the period which passed during the report and the girl when she went to Delhi, without further observation on the merits, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE