

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 868 of 2016**

Ku. Lakhi Potai @ Priyanka, D/o Shri Sudren Potai, Aged about 22 years, Caste-Gond, Resident of Village Netanar, P.S. Benoor, Revenue and Civil District- Narayanpur (C.G.)

---- Applicant

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**

02/03/2016

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No. 91/2015 registered at Police Station Narayanpur, District 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 she has not committed any offence; and the complainants are willing gone to Tamilnadu for searching job with the applicant. He further submits that applicant, being a young girl aged 22 years, is languishing in jail since 29.10.2015 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 & circumstances of the case; role of the present applicant in the offence in question; further considering the facts applicant, being a young girl aged 22 years, is languishing in jail since 29.10.2015 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 her 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. She is directed to appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)

Judge

D/-

