

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2981 of 2016

1. Raju @ Rajnarayan Sahu, aged about 51 years, S/o. Late Shri Sundarlal Sahu, R/o. Nehru Chowk, Baloda Bazar, P.S. Baloda Bazar, District-Baloda Bazar-Bhatapara (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station Baloda Bazar, District – Baloda Bazar- Bhatapara (Chhattisgarh)

---- Respondent

For Applicant : Mr. Prakash Tiwari, Advocate

For Respondent/State : Ms. K. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/06/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.158/2016, registered at Police Station – Baloda Bazar, District – Baloda Bazar - Bhatapara (C.G.) for the offence punishable under Section 83 (2) of the Juvenile Justice (Care and Protection of Children) Act, 2015.
2. Case of the prosecution, in brief, is that the applicant has engaged a boy, who was minor in the grossary shop, therefore, a report was made by one Devendra Sahu, who is the President of Child Welfare Committee, Balodabazar. It is alleged that the boy was engaged to write Satta-Patti gambling.
3. Learned counsel for the applicant submits that nothing has been recovered during the course of investigation which shows that minor was engaged in writing Satta-Patti and only allegation under Section

83 of Juvenile Justice (Care and Protection of Children) Act, 2015 has been made. He further submits that the applicant has been falsely implicated in this case and he is in jail since 05.05.2016, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and would submit that on earlier occasion also, the applicant was involved in similar like nature of offence for which he was fined and as many as 33 cases were registered, therefore, the applicant may not be released on bail.
5. I have heard learned counsel appearing for the parties.
6. Perused the statement and document, list of the cases. Most of the cases were registered under Section 107 and 116 of Cr.P.C.. Considering the facts and circumstances of the case, the statement of the witnesses and the nature of allegation levelled against the applicant and the fact that the applicant is in jail since 05.05.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge