

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.2307 of 2016**

Budhkunwar Nag W/o Ram Nag, aged about 35 years, by caste :
Nageshiya, R/o Village : Alola, Police Station Kapu, Tahsil Dharamjaigarh,
District Raigarh (CG)

---Applicant**Versus**

State of Chhattisgarh Through : Station House Officer, Police Station:
Kapu, District : Raigarh (CG)

---Non-applicant

For Applicant	:	Mr. Shivendra Bhardwaj, Advocate
For Non-applicant	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****10/05/2016**

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.114/2015, registered at Police Station-Kapu, District-Raigarh (CG), for the offence punishable under Section 370/34 of the IPC (Police has added Sections 371, 374, and 363 of the IPC in the charge-sheet).

2. Case of the prosecution, in brief, is that the applicant and other four co-accused persons taken minor complainant Guruwari Bai to Delhi and sold her to other co-accused persons for the purpose of trafficking and thereby committed the offence of trafficking.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and she has falsely been

implicated in crime in question. He would further submit that father of the complainant has already admitted that by mistake name of the present applicant has been mentioned in the complaint, she is in jail since 8.1.2016, charge-sheet has already been filed and no useful purpose will be served by detaining her in jail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicant, statement of father of the complainant and the fact that charge-sheet has already been filed, 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 the applicant shall be released on bail on her 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 her appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-