

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3268 of 2016

Shri Raghuram Patle, S/o. Late Sanwal Patle, Aged About 43 Years, R/o.
Rajnagar Chowk, Bakavanda, District Bastar (Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station
Darbha, District Bastar (Chhattisgarh)

---- Respondent

For Applicant : Mr. Sourabh Sharma, Advocate

For Respondent : Ms. Shobha Kashyap, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05.07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.08/2016 registered at Police Station- Darbha, District Bastar (C.G.) for the offence punishable under Section 370(2)(5) of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 15.02.2016 after chasing a Bus, minor boys and girls were found and on investigation, it was revealed that the present applicant alongwith others namely Raju, Poharu, Jaksu & Bodhram were taking the minor boys and girls to Andhra Pradesh, Vijaywada & Chennai and thereby the offence is committed.
3. Learned counsel for the applicant would submit that initially the entire allegation is on Raju, Poharu, Jaksu & Bodhram and it is alleged that alongwith these persons the applicant also went to the village wherein boys and girls were told that they will get Rs.300/-

per day as wages and they were taken away and, as such, they were going alongwith the other co-accused. It is further submitted that no direct allegation has been attributed to this applicant, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary, statements and the documents, which shows that all the boys and girls were minor and when the Bus was intercepted in the highway they were recovered. Considering the nature of offence and degree of allegation and further taking into consideration the statements and the documents collected, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge