

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3314 of 2016

1. Saytu Vadde, S/o. Shri Bira Ram Vadde, aged about 21 years, Caste-Gond, R/o. Village-Markabeda, P.S. - Narayanpur, Revenue and Civil District – Narayanpur (C.G.)
2. Manter Vadde, S/o. Shri Bajju Vadde, aged about 19 years, Caste-Gond, R/o. Village – Markabeda, P.S. - Narayanpur, Revenue and Civil District – Narayanpur (C.G.)

----Applicants

Versus

1. State of Chhattisgarh, Through : Police Station- Farasgaon (Narayanpur), District – Narayanpur (Chhattisgarh)

---- Respondent

For Applicants	: Mr. Avinash K. Mishra, Advocate
For Respondent/State	: Mr. Arvind Shukla, Panel Lawyer

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, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.02/2015, registered at Police Station – Farasgaon (Narayanpur), District – Narayanpur (C.G.) for the offence punishable under Section 363, 370, 34 of the Indian Penal Code.

2. Case of the prosecution, in brief, is that girls Sarita, Santay and Sanita @ Kajo, who were on their way to Tamilnadu (Selam) at the instance of the applicants were being sent to other States and victims were apprehended in the bus stand. On enquiry it was revealed that they were going at the instance of the applicants. Thereby the offence has been committed.
3. Learned counsel for the applicants submits that no offence has been committed by the applicants and the girls were waiting in the bus-stand and the applicants were not present in person. It is submitted that the applicants have falsely been implicated only on hearsay evidence and charge-sheet in this case has been filed, no further evidence is required and the applicants are in jail since 09.09.2015, therefore, the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the statement of the girls. Considering the facts and circumstances of the case, the way the allegations have been attributed against the applicants and considering the fact that the applicants were not present in person on the spot and taking into the statement of the girl/victim without any observation on merits, this Court is of the opinion that present is a fit case, in which, the applicants 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 applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Balram