

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4077 of 2016

- Dashru Sori S/O Late Chaitu Ram Sori Aged About 30 Years R/O Nayapara, Narayanpur, Police Station Narayanpur, Civil District Kondagaon Rev. District - Narayanpur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Narayanpur Civil District Kondagaon Rev. District - Narayanpur Chhattisgarh.

---- Respondent

For Applicant : Mr.G.A. Goverdhan,, Advocate
For Respondent/State : Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02-08-2016

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 on 23-9-2015 in connection with Crime No. 91 of 2015, registered at Police Station Narayanpur, District Narayanpur (CG) for the offence punishable under Sections 363 and 370 of IPC and Section 9 of the Bonded Labour System (Abolition) Act and Section 26 of the Juvenile Justice Act (wrongly not mentioned in the impugned order). 306 of the IPC.
2. As per prosecution case, present applicant took the victims namely Santai aged about 16 years ad Siyavati aged about 15 years from Narayanpur to Vijayawada where the victims were forced to work as labour against their wishes in the Bricks Factory, however, they have not been paid remuneration for two months and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the case of the present applicant is similar to the case of other two co-accused persons who have been granted bail vide orders dated 2-3-2016 and 5-4-2016 passed by co-ordinate Bench of this Court in M.Cr.C.No. 868 of 2016 & 1803 of 2016, therefore, the applicant may also be enlarged on bail on the ground of parity.
4. On the other hand, learned State counsel opposes the prayer for grant of bail, however, does not dispute the fact that similarly placed other two co-accused persons have been granted bail by co-ordinate Bench of this Court.
5. I have heard learned counsel for the parties and have also perused the case diary and documents.
6. Taking into consideration the facts and circumstances of the case, nature of allegation leveled against the applicant and considering the fact that charge-sheet has been filed, the applicant is in jail since 23-9-2015 and further considering the fact that similarly placed other two co-accused persons have been granted bail, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju