

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4799 of 2016

1. Vikas Jaiswal, S/o. Surendra Jaiswal, aged about 22 years, R/o. Village-Orsapath, P.S. - Mahuwadand, District – Garhwa (wrongly mentioned Balrampur in the impugned order) Jharkhand.

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station- Samripath, District – Balrampur (Chhattisgarh)

---- Respondent

For Applicant	: Mr. V.K. Pandey, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy.Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/08/2016

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.15/2016, registered at Police Station – Samripath, District – Balrampur (C.G.) for the offence punishable under Section 363 & 370 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant has kept three minor boys in his house for the purpose of trafficking and was preparing to take them to Delhi. In the meanwhile one of the boy escape and informed the fact to the parents and thereafter, the report was made and two boys was recovered from the possession of the applicant.
3. Learned counsel for the applicant submits that no evidence is available against the applicant that boy was being taken to Delhi

and in-fact the boys was kept for house hold job and the false allegations have been attributed against this applicant, 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.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary, documents and the statement. Considering the facts and circumstances of the case and the evidence available against this applicant, 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