

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7591 of 2015

K. Anand @ Anand, S/o. R. Kashi, Aged About 27 Years, R/o. Aatur Tirkad, Police Station - Aatur, District - Shelam (Tamilnadu), At Present Resident Of Village - Humnabad, Parteshwar Lodge, Police Station - Humnabad, District - Bider (Karnataka)

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station - Pendra, District – Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr. Goutam Khetrapal, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13.01.2016

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.209/2015, registered at Police Station– Pendra, District Bilaspur (C.G.) for the offence punishable under Section 363, 370, 371 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 03.10.2015 a report was lodged by the complainant Lal Singh that his son alongwith three persons have taken by Udaybhan and the boys were working at Karnataka. Thereafter, the police during investigation has recovered the boys from the Bore Well machine which was run by the present applicant at Karnataka.

3. Learned counsel for the applicant submits that the entire allegations are mainly attributed to Udaybhan who took the boys away and thereafter they were made to work at Bore Well machine of the applicant. He further submits that the said allegations are completely improbable that boys were working in the Bore Well, consequently, he has been falsely implicated in this case and, as such, he may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the facts and circumstances of the case, considering the nature of allegations and degree of offence and the way the offence as alleged to have been committed, taking into fact that the charge sheet has been filed and the applicant is in jail since 22.11.2015, 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.
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