

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7208 of 2016

- Pavitro Mandal S/o Parimal Mandal Aged About 18 Years R/o Bajrang Ward, Tahsilpara, Pakhanjur, Police Station Pakhanjur, District Kanker, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Benur, District Narayanpur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Arun Kochar, Advocate
For the Respondent	:	Mr. Sangharsh Pandey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.11.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 23/2016 registered at P.S. Benur, Distt. Narayanpur (C.G) for the offence punishable under Sections 363 & 370 of IPC.
2. As per the prosecution case, a report was made by one Sudaren Potae that on 04.07.2016, the applicant allured his daughters Lachhantin and Lakhi Potae and 5 other girls to provide them lucrative jobs at higher wages and consequently on 05.07.2016 he was taking the girls in a Bus to Pakhanjur. At that time, the complainant was informed that his daughters and other girls were being taken by the applicant towards Benur. On such information, the complainant along-with one Jaisingh went to Benur and stopped the bus and on having seen them the applicant fled away and thereafter the girls were recovered.

3. Learned counsel for the applicant would submit that the applicant has neither forced nor threatened the girls and he only requested the victim Ku. Neeta Potae to engage them in job and the girls themselves decided to go and earn their livelihood and even no threat or force was used by the present applicant which would be evident from the statements of girls. He further submits that the charge sheet has been filed and the applicant is in jail since 20.07.2016, therefore, he may be enlarged on bail.
 4. Per contra, learned State Counsel opposes the bail.
 5. Perused the case diary and the statements of victims girls Lakhi, Anita Potae, Saini Vadde, Jugo Potae, Ku. Neeta Potae, Lachhantin Potae, Geeta Potae wherein they have stated to be going to Pakhanjore to work in agricultural field.
 6. Considering such statements of victim girls and the totality of the facts and circumstances of the case especially the fact that the charge sheet in this case has been filed and the applicant is in jail since 20.07.2016, I am inclined to allow this bail application.
 7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.
- C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**