

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7305 of 2016

- Janardan Yadav S/o Sibo Yadav @ Jageshwar Yadav Aged About 38 Years R/o Village Khamhar, Thana & Tahsil Dharamjaigarh, Civil & Revenue District Raigarh, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh Through Thana Dharamjaigarh, District Raigarh, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Sanjay Agrawal, Advocate
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22.11.2016

1. This is second 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. 187/2015 registered at P.S. Dharamjaigarh, Distt. Raigarh (C.G) for the offence punishable u/ss 363, 370, 374, 342/34 of IPC.
2. As per the prosecution case, the other four accused persons abducted victim Ku. Sita Sidar in the year 2011 and took her to Delhi and forced her to work as bonded labour against her will and did not pay any remuneration, thereby committed the aforesaid offences.
3. Learned counsel for the applicant would submit that the earlier bail application of this applicant was dismissed vide order dated 27.10.2015 passed in M.Cr.C.No.5709/2015 and now the victim girl has been examined and she has not supported the case of prosecution, therefore, no case is made out against the present applicant. He further submits that the charge sheet has been filed; no further investigation

is necessary and the applicant is in jail since 02.08.2015, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail. However, he is not able to dispute the fact that the victim has been examined and she has not supported the case of prosecution.
5. Perused the statement of the victim girl wherein she has not supported the case of prosecution. Considering such statement of the victim as also the fact that the charge sheet in this case has been filed and the applicant is stated to be in jail since 02.08.2015, without any further observation on merits of the case, I am inclined to release the applicant on regular bail, at this stage.
6. 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