

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.2345 of 2017

- Lakhan Banda @ Sarjon Banda S/o Vijay Banda, Aged About 48 Years
R/o Village Sahnipadampur, Police Station Chakradharpur, District
Dharwaso, Jharkhand.

---- Petitioner

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station
Kotra Road, Civil & Revenue District Raigarh, Chhattisgarh.

---- Respondent

For Petitioner	:	Shri Manoj Jaiswal, Advocate
For Respondent/State	:	Shri Dhiraj Wankhede, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

05/05/2017

Heard.

2. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.19/2016 registered at Police Station Kotra Road, District Raigarh for the offence punishable under Section 363, 370, 323/34 of IPC and Section 12, 17 of the Protection of Children from Sexual Offences Act, 2012.

3. This is second application for grant of bail. First application was dismissed as withdrawn.

4. Case of the prosecution is that the applicant is involved in trafficking of 10 & 12 year old girls and it is alleged that the applicant had taken girls to major city, where they were sold out and subjected to harassment and child labour.

5. Learned counsel for applicant submits that many prosecution witnesses including the mother of the prosecutrix have been examined. It is further

submitted that the applicant is in jail for the last 1 year & 2 months and the trial is not likely to be concluded early and out of total 28 prosecution witnesses, only 14 witnesses have been examined. He submits that at this stage, the applicant may be granted bail.

6. On the other hand, learned State counsel opposed the prayer for grant of bail.

7. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the nature and gravity of allegation, I am not inclined to grant bail to the applicant, at this stage.

8. Accordingly, the bail application is rejected. However, it is observed that if trial is not concluded within a period of six months, the applicant would be at liberty to apply for grant of bail.

Sd/-

(**Manindra Mohan Shrivastava**)

J U D G E