

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE NO. 4923 OF 2017

Rina Naik, aged 20 years, D/o Jagarnath, Cast- Dom, R/o Village-
Gaikanpali, P.S. Talsara, District Sundargarh (Orrisa)

... Applicant

Versus

State of Chhattisgarh, through: Station House Officer, Police Station:
Tapkara, District: Jashpur (C.G.)

... Respondent

For Applicant	:	Mr. Hemant Gupta, Advocate.
For Respondent-State	:	Mr. D.R. Minj, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23/11/2017

1. The present is an application filed under Section 439 of CrPC seeking for grant of bail to the Applicant who is in jail since 15.6.2017 in connection with Crime No.44/2017 registered at Police Station- Tapkara, District Jashpur, for the offence under Sections 363, 370, 374 of IPC.
2. Case of the prosecution against the Applicant is that she is said to have enticed the victim, Ku. Alma Lakda, a 15 years old girl, on the ground of giving her a better employment and wages and forced her to leave her paternal home and took her to Orrisa where the Applicant is said to have handed her over to one Sontu Pal S/o Dipak Pal and from where she was taken to Delhi and Bombay and was forced to work as a domestic maid. Subsequently, on a search by the police authorities, the victim could be recovered.
3. Learned Counsel for the Applicant submits that it is a case where the only allegation against the Applicant is that of making a phone call to the victim to come to Orrisa from where she could be taken to Delhi and Bombay. According to the Counsel for the Applicant, there is no extra effort or force used by the Applicant or to have given any personal assurance of any better employment or higher salary to the victim, but it was the stand

of the Applicant that she could introduce her to some persons who have well connections for providing her better employment. Learned Counsel for the Applicant further submits that the Applicant herself is a young girl aged around 20 years and therefore she may be released on bail.

4. Learned Counsel for the State however opposing the bail application submits that there are direct allegations against the Applicant of having enticed the victim and offering her better employment and higher salary at Delhi and Bombay which compelled the victim to leave her parental home in spite of her being a minor girl aged around 15 years and thus prayed for the rejection of the bail application.

5. Having heard the contentions put forth on either side and on perusal of record, it reveals that the co-accused Dipak Pal, father of Sontu Pal, who was having a placement agency at Delhi, has already been granted bail by this High Court in M.Cr.C. No. 4876/2017, decided on 3.11.2017. Further, perusal of record also would reveal that there was no force or coercion of any nature used by the Applicant except for an offer made by her to the victim of introducing her to one Sontu Pal S/o Dipak Pal.

6. In the given facts and circumstances of the case and taking into consideration the fact that the Applicant is a young girl aged around 20 years and the nature of role played by her, this Court is of the opinion that prima facie a strong case is made out for grant of bail to the Applicant.

7. Accordingly, the application for grant of bail is allowed. It is ordered that the Applicant shall be released on bail on her furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for her appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge