

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE NO. 5759 OF 2017

Haripda Das, S/o Late Banomali Das, aged about 47 years, Caste- Hindu, R/o House No.3, G/F Bangali Basti Gali No.22, Chhudiya Mohlla, Tuglakabad, Village- Prahladpur, P.S. Govindpuri, District South Delhi, New Delhi.

... Applicant

Versus

State of Chhattisgarh, through Police Chowky- Lodam, Thana- Jashpur, District Jashpur (C.G.)

... Respondent

For Applicant	:	Ms. Sharmila Singhai, Advocate.
For Respondent-State	:	Mr. D.R. Minj, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

27/11/2017

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 18.5.2017 in connection with Crime No.275/2016 registered at Police Station- Jashpur, Police Outpost- Lodam, District- Jashpur, for the offence punishable under Sections 363, 370, 371/34 of IPC and Sections 09(1)(2) of the Chhattisgarh Private Placement Agencies (Regulation) Act, 2013.
2. As per the prosecution, allegation against the Applicant is that he being the Director of a placement agency running at New Delhi had received a bio-data of missing girl Ku. Kunti, aged between 17-18 years and there is also an allegation that the Applicant has got the victim an employment with one Rohit Jain, as a domestic worker.
3. Learned Counsel for the Applicant submits that it is a case where the Applicant had never interacted with the victim Ku. Kunti for persuading her to leave her parental home and to come to Delhi for employment. According to the learned Counsel for the Applicant, it is a case where the co-accused, Karmela Toppo and Mohd. Ashif, are the persons who had

persuaded the girl to come to Delhi on the assurance of providing her better employment. Learned Counsel for the Applicant further submits that the victim girl thereafter had been given on employment to one Rohit Jain, from where the whereabouts of the girl is not known. It was also submitted that the Applicant has been falsely implicated in the instant case only on account of the fact that he is operating a placement agency.

4. Learned Counsel for the State however opposing the bail application submits that it is a case where the Applicant along with other persons is in the business of illegal trafficking by calling upon young minor girls from the villages in the State of Chhattisgarh and giving them into the different houses in Delhi as domestic helpers and that these persons in connivance with the other persons are exploiting the conditions of these girls and thus prayed for the rejection of the bail application.

5. Having heard the submissions put forth on either side and on perusal of record, it reflects that the Applicant has not been found to be in any manner directly in contact with the minor girls who have been persuaded to leave their house in search of better employment. It further reflects that the only allegation against the Applicant is that of providing employment to the victim Ku. Kunti who was brought to the placement agency by Karmela Toppo and Mohd. Ashif. Further, the Applicant is said to have diverted the victim girl to the house of one Rohit Jain from where the whereabouts of the girl is not known.

6. Considering the entire facts and circumstances of the case particularly the role played by the Applicant, 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 his furnishing a personal bond for a sum of Rs.25,000/- with one surety of the like sum to the

satisfaction of the concerned Trial Court for his appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge

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