

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6160 of 2017

Ramnath S/o Shri Gada Ram Aged About 42 Years R/o Village Bamlaya Police Station Sitapur District Jashpur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Kamleshwarpur, District Sarguja Chhattisgarh

---- Respondent

For Applicant	:	Shri V.K. Pandey, Advocate
For State	:	Shri Avinash Singh, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

27/11/2017

Heard.

1. The applicant is arrested in connection with Crime No.43 of 2012 registered in Police Station- Kamleshwarpur, District- Sarguja (C.G.) for alleged commission of offence under Sections 363/34, 366/34, 367/34, 342/34. 370/34, 372/34, 374/34 and 120-B IPC.
2. Case of the prosecution, in brief, is that the applicant had kidnapped the victim and she was taken to another place for human trafficking.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated. He has not committed any such offence. He would further submit that the applicant is permanent resident of Bamlaya, Sitapur of District- Sarguja and is not likely to abscond. It is further submitted that the other two accused have already been acquitted by the trial Court but trial of the applicant was delayed because of his arrest on later date. It is lastly submitted that the applicant was not absconding but the police did not arrest him and appropriate onerous conditions may be imposed on him to ensure his presence during trial.
4. On the other hand, learned counsel for the State, opposing the bail

application, submits that the applicant had remained absconded and he was arrested at later stage of trial and if he is granted bail at this stage, trial may be hampered.

5. Taking into consideration the submissions made by learned counsel for the parties, particularly taking into consideration that co-accused have already been acquitted and applicant's presence can be ensured by imposing appropriate conditions, the application is allowed
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court, with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge