

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3468 of 2017

- Kamlesh Manikpuri S/o Maniram Manikpur, Aged About 21 Years R/o Village Futanchandagaon Police Station Benur District- Narayanpur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through: Station House Officer, Police Station Benur, District- Narayanpur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sanjay K. Agrawal, Advocate.
For Respondent/State	:	Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

06/11/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 40/2016, registered at Police Station- Benur, District – Narayanpur(C.G.) for the offence punishable under Sections 363 and 370(5) of Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 27.12.2016. The case has been investigated, charge-sheet has been filed and trial has commenced so far 12 witnesses have been examined out of which 8 witnesses the victim of human trafficking have been examined, who have been turned hostile, hence, in this development of situation, it is prayed that the applicant be enlarged on

bail.

3. Learned State counsel opposes the prayer for grant of bail, however, he would submit that out of 21 witnesses as per the list of witnesses in the charge-sheet only 12 witnesses have been examined, hence, applicant should not be enlarged on bail at this stage.
4. Heard both the parties and perused the case diary and also the documents submitted along with the applications namely the copies of the deposition sheets of the witnesses examined.
5. Considering the submissions made in this respect, contents of case diary and the statement of the witnesses so far examined by the trial Court, I am of this view that it would not serve any purpose if the applicant is continuously kept in jail for the entire period of trial and also looking to this fact that he is the local resident of the locality whose availability before the trial Court shall not be compromised if he is enlarged on bail, hence, this appears to be a fit case where the applicant should be enlarged on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge