

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE NO. 5098 OF 2017

Nehru Uraon, S/o Late Jagat Ram, aged about 35 years, R/o Village Annapurna, Police Station and Tahsil Premnagar, District Surajpur (C.G.)

... Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police of Police Station Premnagar, District Surajpur (C.G.)

... Respondent

For Applicant	:	Mr. Anil Gulati, Advocate.
For Respondent-State	:	Mr. D.R. Minj, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

24/11/2017

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 5.4.2017 in connection with Crime No.36/2017 registered at Police Station-Premnagar, District Surajpur, for the offence punishable under Sections 363, 366(A), 370 (2, 3, 5, 6) read with Section 34 of IPC.

2. As per the prosecution, allegation against the Applicant is that the Applicant is said to have enticed three minor girls for providing them better employment and taken them to Delhi. The said act therefore falls under Section 370 of IPC. According to the prosecution, the Applicant knew well that the three girls were the minor girls and yet he has enticed them to leave their paternal home.

3. Learned Counsel for the Applicant submits that a plain reading of the statement of the victims itself would reveal that the Applicant has not enticed them in any manner nor has he used any sort of persuasion or force except for the fact that if these girls intended to go out for work he can make arrangements for them. With the given allegation the learned Counsel for the Applicant submits that the Applicant has already remained

in custody for a period of about 8 months and therefore he may be released on bail.

4. Learned Counsel for the State however opposing the bail application submits that the victims girls in the instant case are minor and the Applicant was indulged in an act of human trafficking and the nature of allegations levelled against him is serious and therefore the bail application is liable to be rejected.

5. Having heard the contentions put forth on either side and on perusal of record, all that is reflected from the statements of the victims is that the Applicant had only informed them and had offered them for providing a better employment and the Applicant was not one who had taken the girls along with him but they had voluntarily gone for search of employment.

6. Taking into consideration the nature of allegations and the statements which have come on record and also taking into account the period of custody already undergone 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