

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C No. 5850 of 2017

- Rajesh Dehri S/o Surat Ram Aged About 22 Years Village Cast - Kolta, R/o Village Shekharpur, Police Station Pathalgaon, District Jashpur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Baagbahar, District Jashpur Chhattisgarh.

---- Respondent

And

M.CR.C No. 6064 of 2017

- Lukeshwar Yadav S/o Laxman Yadav Aged About 20 Years Caste - Mahkul, R/o Village - Kukargaon Mohnipuri, Thana Bagbahar, District Jashpur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, P.S. Bagbahar, District Jashpur Chhattisgarh.

---- Respondent

For the Applicants : Shri Sanjeev Kumar Sahu and Shri Manoj Chouhan, Advocates.

For the Respondent/State : Shri Wasim Miyan, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27.11.2017

1. Heard on applications under Section 439 of Cr.P.C.
2. As both the bail applications are arising out of the same Crime number pending in Court of Second A.S.J, Kunkuri, District – Jashpur, they are heard and decided together by this common order.
3. The applicants have been arrested in connection with Crime No. 102/2016, registered at Police Station – Baagbahar, District – Jashpur (C.G), for the offences under Sections 363, 370 and 34 of the Indian Penal Code.
4. These applications are the first bail application of the applicants in both the cases filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to them.
5. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case. It is submitted that the applicants in both the cases had to go to Karnataka for some work, the said victim Rahul @ Vikky Bhagat accompanied just for purpose of traveling, after reaching Karnataka, Rahul @ Vikky Bhagat was sent back by the applicants on the very next day, hence, no offence is made out against the applicants as they are being prosecuted for, hence, it is prayed that the applicants may be enlarged on bail.
6. Learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that this is a case of

human trafficking, because of which the applicants are not entitled for grant of bail.

7. Heard counsel for both the parties and perused the case diary.
8. According to the facts of this case, victim Rahul @ Vikky Bhagat accompanied the applicants on their promise that they will get him employment in Karnataka for which he would be required to do less work and get attractive payment. Victim is minor aged 17 years. The missing report was lodged by mother of the victim, because of which the case has been registered against the applicants.
9. Considering the submission and contents of the case diary and that the applicants are local resident of District – Jashpur, their availability before the trial Court can be ensured, they are ready to abide by all the conditions imposed upon him, this Court is of the opinion that this is a fit case where the applicant should be enlarged for grant of bail.
10. Consequently, both the applications M.CR.C No. 5850 of 2017 and M.CR.C No. 6064 of 2017 filed under Section 439 of the Cr.P.C. are hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd /-

(Rajendra Chandra Singh Samant)
Judge