

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.8484 of 2016**

1. Shyamlal son of Bhurasu, aged about 58 years,

2. Jitendra Banjare son of Shyamlal, aged bout 24 years,

Both are by Caste-Satnami, resident of Village Baghaud, Tahsil & Police Station-Dabhra, District-Janjgir-Champa (CG)

---Applicants

Versus

State of Chhattisgarh through the District Magistrate, Janjgir,
District-Janjgir-Champa (CG)

---Non-applicant

For Petitioner	:	Mr.K.K.Pandey, Advocate
For Non-applicant	:	Mr.Majid Ali, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

18/4/2017

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.49/2016, registered at Police Station-Dabhra, District-Janjgir-Champa (CG), for the offence punishable under Sections 470(4) and 323/34 of the IPC.

2. First bail application of the applicants has been dismissed by this Court vide order dated 26.4.2016 in M.Cr.C.No.2139 of 2016 with liberty to file bail application after examination of material prosecution witnesses.

3. Case of the prosecution, in brief, is that the applicants have abducted the minor complainant and took her to Orissa for the purpose of human trafficking and thereby committed the offence.

4. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in crime in question. He would further submit that five witnesses have been examined and they have not supported the case of the prosecution. The applicants are in jail since 12.2.2016 and no useful purpose will be served by detaining them in jail. Therefore, they may be released on bail.

5. On the other hand, learned counsel for the State would oppose the bail application.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence and detention period of the applicants, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

8. Accordingly, second bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-