

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.1083 of 2018**

- Preeti Panna D/o Ramnath Panna Aged About 22 Years R/o Village Khairbar, Khudipara, P. S. Ambikapur District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Ambikapur District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

-- Respondent

For Petitioner	:	Shri CJK Rao, Advocate
For Respondent/State	:	Shri Manish Nigam, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****13/04/2018**

Heard.

2. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.393/2017 registered at Police Station Ambikapur, District Surguja for the offence punishable under Section 363, 370(4)(5)(6), 371, 374/34 of IPC.

3. Case of the prosecution is that the applicant had taken two minor girls for working as Waiter at various places without the consent of their parents.

4. Learned counsel for the applicant submitted that the entire material collected during investigation, at the most, commission of offence under Section 363 of IPC would be made out against the applicant, but no case of trafficking is made out in the present case. It is submitted that statement of girls did not show that they were subjected to any sexual assault or beaten up or any kind of physical or mental assault was made on them. Therefore, at this stage, the applicant may be granted bail as the applicant is in jail since 23-10-2017 and investigation is complete, charge sheet has been filed and that the applicant is not likely to abscond or tamper with the prosecution witnesses.

5. On the other hand, learned State counsel opposed the prayer for grant of bail on the submission that the applicant, despite objection of parents, had taken two girls for working as a Waiter and though the girls have been brought back to their home, prima facie case is made out against the applicant.

6. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that two girls have come back to their home and further taking into consideration that there is no material on record regarding sexual, physical or mental assault and that the investigation is complete, charge sheet has been filed and that the applicant is not likely to abscond or tamper with the prosecution witnesses, I am inclined to grant bail to the applicant.

7. Accordingly, the application is allowed. It is ordered that the applicant shall be released on bail on furnishing a personal bond of Rs.25,000/- along with two local surety of the like amount to the satisfaction of the trial Court on the condition that he shall appear before the trial Court regularly on each and every date, unless exempted.

SD/-

(**Manindra Mohan Shrivastava**)

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