

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1190 of 2018

Mohammad Asif, S/o Mohammed Amin, aged about 33 years, R/o New Ranjeet Nagar, Central Delhi- 110008.

---- Applicant

Versus

State of Chhattisgarh, through Police Station Jashpur, Police Outpost- Lodaam, District- Jashpur.

---- Respondent

For Applicant	:	Mr. Sanjay Agrawal, Advocate
For Respondent	:	Mr. U.K.S. Chandel, PL

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

16/04/2018

1. Heard.
2. The applicant has preferred this application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No.275/2016 registered at Police Station- Jashpur Outpost- Lodaam, Dist. Jashpur (C.G.) for the offence punishable under Sections 363, 370, 371, 34 of IPC & Section 9 (1) (2) of the Chhattisgarh Private Placement Agencies (Regulation) Act, 2013.
3. As per the prosecution case, complainant- Saro Tirkey lodged a report to the effect that her minor daughter namely – Kumari Kunti was allured by the accused persons to accompany them on the pretext of providing job, but her daughter is traceless thereafter. On the basis of

this report, offence under Section 363 of IPC was registered and during the course of investigation when the enquiry was made from one Poonam Khalkho, It was revealed that one Karmala Toppo took her the missing girl to Delhi by inducing them that she would provide them employment there. On being interrogated, said Karmala Toppo disclosed that she along with present applicant employed the girl in the Delhi Placement Services, Madangir, Delhi. In the course of investigation, the Applicant was arrested.

4. Learned counsel appearing on behalf of the applicant submits that there is no allegation that the victim girl was sexually exploited by the applicant or any force was applied upon her to work. He further submits that as per prosecution story, the role of the applicant is only that he, on being asked by Nisha, along with Karmela Toppo left Ku. Kunti, to the placement agency. The main accused is Karmela Toppo. He further submits another co-accused Haripada Das has already been granted bail in MCRC No. 5759/2017.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned counsel for both the parties.
7. Perusal of the record reflects that the applicant has not been found to be in any manner directly in contact with the minor girls who have been persuaded to leave her house in search of better employment. It further reflects that the only allegation against the applicant is that on saying of Nisha, he left the victim girl to the placement agency with one Karmela Toppo.

8. Considering the above facts and circumstances of the case, this court is inclined to release the applicant on bail.
9. Accordingly, MCRC. No.1190/2018 is allowed. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-
Judge
Arvind Singh Chandel

Rahul