

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1253 of 2018**

Bhagwan S/o Namdeo Rathore Aged About 48 Years R/o.- Chatori, P.S. And
Tahsil- Palam, District- Palam (M.H.), Maharashtra.

---- Applicant**Versus**

State Of Chhattisgarh Through- The Police Station Gandai, District-
Rajnandgaon (C.G.), District : Rajnandgaon, Chhattisgarh.

---- Respondent

For the Applicant : Shri Sumit Singh, Advocate.
For the Respondent/State : Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****17.04.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.279 of 2017, registered at Police Station – Gandai, District – Rajnandgaon, Chhattisgarh for the offence punishable under Sections 370 and 506 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 14.11.2017 and has been falsely implicated in this case. The charge-sheet has been filed against him, the case is before the trial Court and the trial against the applicant is still not concluded. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. The applicant is ready to abide by all the conditions that may be imposed on him. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there is ample evidence in the prosecution case against the applicant for his prosecution. Hence, no case is made out for grant of regular bail to the applicant.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, two co-accused persons, namely, Narayan Pawar and Bharat Dev allured victim – Sumit Lal Pardhi and 19 others with a promise to provide them labour work against attractive remuneration and took them to village Hilli, Maharashtra where the victims were handed over to the local contractor, namely, Bhagwan (the present applicant). It is alleged that the applicant kept them in confinement and extracted work mercilessly without making any payment. According to the investigation, the victims were rescued by the police from the confinement and thereafter, the FIR was lodged against the applicant.

6. The applicant has no criminal antecedents and the trial against him is likely to take sometime for its final disposal. Apart from that, the charge-sheet has not been filed against the co-accused persons and the investigation is pending with respect to all of them. Hence, under these circumstances, I am of the view that the applicant should be granted regular bail during the pendency of the trial.

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

8. It is directed that applicant shall be released on bail on his 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 his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge