

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1930 of 2018

Vimal Singh, S/o. Mateshwar @ Tapeswar Singh, Aged About 32 Years,
R/o. Village Kosambi Colony, Thana- Karra, District- Khuti, Jharkhand.

---- Applicant

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Station-
Patthalgaon, Civil & Revenue District- Jashpur, Chhattisgarh.

---- Respondent

For Applicant : Ms. Madhunisha Singh, Advocate

For Respondent : Mr. S.R.J.Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06.04.2018

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.103/2017 registered at Police Station- Patthalgaon, District Jashpur (C.G.) for the offence punishable under Section 363, 370(i-v) / 34 of I.P.C. The first bail application was dismissed on 05.12.2017 in MCRC No.6671 of 2017.
2. Case of the prosecution, in brief, is that a complaint was lodged by Manpyari Bai that her daughter was taken by Smt. Rudan @ Reshma to Ranchi for providing job, thereafter, she was taken to Delhi by Subas Singh for job and thereafter after enquiring, it was found that the girl was employed in the house of Vimal Singh and she was recovered from there.
3. Learned counsel for the applicant submits that the witnesses have been examined and nothing has been deposed against the present applicant and only on the suspicion the applicant has been inculpated. She referred to the statement of the witnesses

and would submit under the circumstances since no averments have been made against the applicant, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and he would submit that out of 18 witnesses, 13 witnesses have already been examined.
5. Considering the fact that the trial is at the fag end as most of the witnesses have been examined, it would not be proper for this Court to evaluate the statement on merits, as it will amount to usurp the power of the trial Court while hearing the bail application. It is for the trial Court to adjudicate the same. Therefore, at this stage, I am not inclined to release the applicant on bail.
6. Accordingly, the second bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge