

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3822 of 2018**

- Rajkumar Mandal @ Raju Mandal S/o Shri Sushil Mandal Aged About 40 Years Occupation Shop Owner R/o House No. B-1/164 Shivram Park, Naagloi, Police Station Nihal Vihar Delhi- 41, Delhi

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Kusmi, District- Balrampur, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Respondent

For the applicant. : Mr. Shakti Raj Sinha, Advocate.
 For the respondent/State: Mr. Sanjeev Pandey, G.A.

Hon'ble Shri Justice Ram Prasanna Sharma
Order on Board

25-6-2018.

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 05-04-2018 in connection with Crime No. 102 of 2017 registered at Police Station Kusmi, District Balrampur (CG), for the offence punishable under Sections 363, 370 (1-4) (4), 34 of the IPC.
2. Case of the prosecution is that the applicant along with other co-accused persons had taken away prosecutrix, Radhabai 10 years back to Delhi from village Kusmi, District Balrampur for working in the house and thereafter she did not return to home and thereby committed the offence.
3. Learned counsel appearing for the applicant would submit that there is no iota of evidence against the present applicant in participation of transportation and exploitation

of the said girl. He submits that date of birth of the prosecutrix is 1-7-1994 and she became major on 30-6-2012 while the report was lodged on 2-12-2017. He further submits that charge sheet has already been filed; the applicant is in jail since 05-04-2018 and trial may take some time therefore, the applicant may be enlarged on bail.

4. On the other hand, learned State counsel opposes the application for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the submission of learned counsel for the parties, the fact that report was lodged on 02-12-2017 when the prosecutrix was major; the applicant is in jail since 05-04-2018 and charge sheet has been filed, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules

Sd/
(Ram Prasanna Sharma)
JUDGE