

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4846 of 2018

- Kamlesh Manikpuri S/o S/o Maniram Manikpuri, Aged About 23 Years
R/o Village Futanchadagaon, Police Station Benur, District Narayanpur,
Chhattisgarh., District : Narayanpur, Chhattisgarh

---- Applicant

Versus

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

---- Respondent

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MCRC No. 5553 of 2018

- Upendra Yadav S/o Mr. Dhaneshwar Yadav Aged About 23 Years R/o-
Bhisva, P.S. Turkauliya, District- Motihari, Bihar, District : Motihari,
Bihar

---- Petitioner

Versus

- State Of Chhattisgarh Through- The Police Station Narayanpur,
District- Narayanpur, Chhattisgarh., District : Narayanpur, Chhattisgarh

---- Respondent

For Applicants : Mr. Sanjay KUMar Agrawal, Advocate in
MCRC No.4846/2018.

For Respondent : Mr.Raza Ali, Advocate in MCRC
No.5553/2018.
Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

02/08/2018

1. Since the above bail applications arise out of the same crime number, they are being disposed of by this common order.
2. Both these applications filed under Section 439 of the Code of Criminal Procedure, 1973 are the first bail applications on behalf of the applicants for grant of regular bail to them as they are in custody in connection with Crime No.128/2017 registered at Police Station- Narayanpur, District – Narayanpur(C.G.) for the offence punishable under Sections 363, 366, 376, 370/34 of Indian Penal Code (for short 'IPC'), Section 6 POCSO Act and Section 3(1)(j), 3(2)(v) Schedule Tribe/ Schedule Caste Act.
3. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. No case is made out against him. Prosecutrix has been examined before the trial Court and has made no adverse statement against any of these applicants, hence, it is prayed that they may be released on regular bail.
4. Learned counsel for the respondent/State opposes the applications and submissions made in this respect.
5. Heard both the parties and perused the case diary.
6. The allegation against these applicants is this, that the applicant Kamlesh Manikpuri in MCRC No.4846/2018 by inducement and allurement trafficked the minor victims for exploitation of labour by sending them to factories in Tamilnadu. Later on, victim came in contact with the applicant Upendra Yadav in MCRC No.5553/2018,

who on pretext of marrying her established physical relation with the victim, on account of which she become pregnant. Subsequent to that FIR has been lodged. Hence, this case.

7. Considered on all the material present in the case diary and also perused the certified copy of statement of the victim, I am of this view that this is a fit case where the applicants should be released on bail during the pendency of the case against them.
8. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/-each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge