

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 144 of 2019**

1. Damrulal Patel S/o Sarkul Patel Aged About 30 Years R/o Village Dharampur ,police Station Sankra Tahsil Pithora District Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh
2. Jayanand Patel S/o Madhav Patel Aged About 30 Years R/o Village Dharampur ,police Station Sankra Tahsil Pithora District Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Applicants

Versus

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

---- Non-applicant

For Applicants	: Shri H. Khuntiya, Advocate.
For Non-applicant	: Shri Washim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

30.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 144/2018 registered at Police Station – Sankra District Mahasamund (C.G.) for the offence punishable under Sections 370/34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that on 22/10/2018 at about 23:00 hours at village Bhokludih the Crime Branch, Mahasamund stopped a bus which was going from Basna to Jagdishpur. It was found that applicants were taking away the complainants Bijhhal, Astam, Rajesh, Ashiq, Subhdra, Nandni, Sakhan, Vikash, Shrawan, Prinyanka to Ranchi for the labour work giving the allurements that they would get more wages. Applicants had also given them advance amount.
4. Learned counsel for the applicants argued that the applicants have no criminal background, they are innocent, therefore, they shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Counsel for the applicants submitted that the applicants have been arrested after a long gap.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE