

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 709 of 2019**

- Anand Singh Maravi S/o Jeevrakhan Maravi Aged About 32 Years Caste Gond R/o Village Neur , Police Station Kukdur , District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, police Station Kukdur ,civil And Revenue District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Non-applicant

And**MCRC No. 501 of 2019**

- Rabbari Sujabhai S/o Rabbari Karmashi Bhai Aged About 43 Years R/o 147 Murni Vas Mindiyala Tahsil Anjar, District Kachchh (Bhuj) Gujrat Present Address Village Sakri Police Station Sakri District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Kukdur District Kabirdham Chhattisgarh, District : Kawardha (Kabirdham), Chhattisgarh

---- Non-applicant

For Applicants : Ms. Seema Singh and Shri Vinod Tekam, Advocates.

For Non-applicant : Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****07.02.2019**

1. Heard on I.A. No. 1/2019 of MCRC 501/2019, application for taking documents

on record.

2. I.A. No. 1 allowed. The documents are taken on record.
3. Heard on bail petitions.
4. Since both the petitions arise from same crime No., these bail petitions are being disposed off simultaneously.
5. These are 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.
6. Perused the case diary provided by the learned counsel for the State in connection with crime No. 115/2018 registered at Police Station – Kukdur District Kabirdham (C.G.) for the offence punishable under Section 363, 374, 34 of the IPC and 79 of the Juvenile Justice (Child Care and Protection) Act, 2015.
7. Case of the prosecution, in brief is that complainant Baiju is aged about 15 years. He is resident of village Kandawani District Kabirdham. Applicant Anand took complainant and another boy Fadal Singh who is aged about 15 years, by enticing that they will get double wages and he will deploy them as grazier. Applicant Anand took them to Kota and left them to the custody of applicant-Rabbari. Applicant-Rabbari used to get grazing work of goats and sheeps by complainant and Fadal Singh. Applicant got labour work from complainant and Fadal Singh as bounded labours.
8. Learned counsel for the applicants submits that applicants have no criminal background, they are innocent and have been falsely implicated in the present case, therefore, they shall be released on bail.
9. On the other hand, learned counsel for the State opposes the bail application, however, submits that one another similar type of case is registered against the applicants.
10. As per the statement of complainant Baiju, he and Fadal Singh had gone to the house of applicant Anand. Applicant Rabbari was giving them 100 rupees per day as wages. Applicant Rabbari ousted them after giving balance amount

for wages.

11. As per the affidavit of Jugut who is the father of the complainant he has no objection if the bail is granted to the applicants.

12. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if each applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he/she will not involve in any crime in future, he/she will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.

13. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE