

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 838 of 2019

- Dev Prasad S/o Shri Dashrath Kurre Aged About 48 Years R/o Village Sarwa, P. S. Kasdol, District Baloda Bazar Bhatapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Sho, P. S. Gidhouri District Baloda Bazar Bhatapara, Chhattisgarh.

---- Respondent

For applicants Mr. Achyut Tiwari, Adv.
For non-applicant/State Mr. S.R.J. Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Sharad Kumar Gupta

ORDER ON BOARD

8-3-2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No 9/2019 registered in police station Gidhouri, Distt. Baloda Bazar Bhatapar (CG) for offence punishable under Section 370, 374, 34 of the IPC.
3. Prosecution story in brief is that applicant allured complainants Rajesj God, Radhabai God, Lakhan God, Laxmibai God, Shankar God, Chhotelal God, Mangalibai God, Pappu God, Pushpabai God that if they go for work at bricks kiln at Jonpur, Banaras, they will get more wages. He had also given them some amount as advance. He had also arranged two vehicles for transporting them to bricks kiln at Jonpur, Banaras. On 6-1-2019, police party of police station Gidhauri stopped those vehicles and started legal proceedings.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated. He further argued that applicant was neither driver nor owner of those vehicles. Said complainants were going on their own wish and will. Hence he

may be released on bail.

5. On the other hand, the State Counsel opposed the bail application. He further submits that no criminal antecedent has been reported against applicant in the police case diary.
6. Looking to the facts and circumstances of the case, looking to the evidence available on record against applicant and the seriousness of the offence, and the impact of granting bail to the applicant, this Court is not inclined to grant bail to the applicant.
7. The application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge