

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3806 of 2019**

- Vishnu Patre S/o Bhagwa Patre Aged About 53 Years R/o Village Manwa, Police Station Pachpedi, Civil and Revenue District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through O.P. Lavan, Police Station Kasdol, Civil and Revenue District Baloda Bazar, Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Shri Adil Minhaj, Advocate.
For Respondent/State : Shri, Amit Singh, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**19/06/2019**

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 148/2019, registered at Out Post Lavan, Police Station-Kasdol, District – Balodabazar - Bhatapara, (C.G.) for the offence punishable under Sections 370(3), 342, 374, 506, 34 of the Indian Penal Code.
2. As per the prosecution story, allegations against the present Applicant is that he took the Complainant namely Parasram and other 61 labourers to one brick kiln in village Sahvegpur, Shahajahanpur, (U.P.) alluring them of high wages. But they were not paid proper wages there and were kept as captive and were not allowed to return back. On the basis of the report lodged by the Complainant, offence has been registered and thereafter, labourers were called back. Applicant has been taken into custody on 11.05.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent *and* has been falsely implicated in the case. He

further submits that *prima facie*, no offence is made out against the Applicant. Applicant himself is a labourer not the owner and has never induced anyone to work in the brick kiln. He has not played any role in the said business and has not captivated any labourer. Applicant is in custody since 11.05.2019 and trial is likely to take some time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the role played by the Applicant, he is in custody since 11.05.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge