

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.9486 of 2018**

Sunil Kumar, S/o Sudarshan Kumar, aged about 50 years, R/o Khasra No.15/11, Swroopnagar, New Delhi-02 (India). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Out Post Ganeshmode, Police Station Balrampur, District Balrampur Ramanujganj (CG).

---- Non-applicant

For Applicant : Mr. Awadh Tripathi, Advocate.

For Non-applicant/State : Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****14.01.2019**

1. Case diary is not produced.
2. 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.
3. Perused the copy of charge-sheet provided by the counsel for the applicant in connection with Crime No.144/2018 registered in Police Station Balrampur, District Balrampur Ramanujganj for the offence punishable under Sections 363, 365, 370(4)(5), 374 of IPC, Section 9 of Placement Agency Act, Sections 4, 8, 9(1)(2) of Chhattisgarh Private Employment Act and Section 13 of Child Labour Act and Sections 84, 79 of Juvenile Justice Act.
4. Prosecution story in brief is that the complainant Karmila is aged about 13 years old. She is a resident of village Balrampur. On 31.07.2018, co-accused Sapna took the said complainant to Delhi by enticing. In Delhi co-accused Sapna handed over the said complainant to the present applicant and, thereafter, the applicant was taking domestic work from the said complainant by threatening.
5. Counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.
6. Counsel for the State opposed the prayer for grant of bail.
7. As per charge-sheet, which is a part of bail application, the two cases of similar natures have already been registered against the applicant.
8. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence;

and the trial is likely to take some more time for its final disposal, this Court is inclined to give benefits of Section 439 of the CrPC to the applicant. Accordingly, the bail application is allowed.

9. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond in the sum of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that he shall appear before the Trial Court at 11:00 am as and when directed till trial and he would co-operate during the trial, he shall be released on bail and he shall not involve any such type of offence in future.

10. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-