

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9421 of 2018**

- Sunil Kumar S/o Sudarshan Kumar Aged About 50 Years R/o Khasra No. 15/11, Swroopnagar, New Dehli-02, India.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Out Post- Ganeshmode, Police Station- Balrampur, District- Balrampur- Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant : Smt. Indira Tripathi, Advocate.
For Respondent/State : Shri Amit Singh, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**02/04/2019**

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. 145/2018, registered at Police Station – Balrampur, District- Balrampur-Ramanujganj, (C.G.) for the offence punishable under Sections 363, 365, 370(4) (5), 374 of the Indian Penal Code, Section 9 of Placement Agency Act, Section 4, 8, 9 (1)(2) of C.G. Private Employment Act, Section 3 of Child Labour Act and Section 84, 79 of Juvenile Justice Act 2015.
2. As per the prosecution story, on 03.08.2018 informant Sudhir Ram lodged a report at Out Post – Ganeshmod, P.S. - Balrampur with the averment that on 31.07.2018 at about 9-10 AM her sister (prosecutrix), aged about 11 years along with her friend left the house for going

market and did not return back till evening 4:00 PM. Thereafter, he searched for her sister in his relatives house but not found. On the basis of the said, missing report has been registered against unknown persons and initially offence punishable under Section 363 of the IPC has been registered. During investigation, on 13.08.2018 prosecutrix was recovered from the possession of the present Applicant. Statement of the prosecutrix was recorded and on the basis of the said, other offences have been added. Allegedly, co-accused Sapna abducted the prosecutrix and her friend and took them to Delhi and thereafter she sold them to the present Applicant. Present Applicant used to threatened her and force her to do sweeping work in his house. The Applicant has been taken into custody on 15.08.2018.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. She further states that, prosecutrix in her statement recorded under Section 164 of Cr.P.C., has not specifically stated anything against the present Applicant. She further submits that the main accused is Sapna. Allegations against the present Applicant is that, prosecutrix used to do sweeping work in his house. Charge-sheet has been filed, Applicant has been taken into custody on 15.08.2018 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 fact that charge-sheet has been filed, Applicant is in custody since 15.08.2018 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. 50,000/- with two local solvent sureties each of Rs. 25,000/- to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge