

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9998 of 2018**

- Gupteshwar Ojha S/o Asharphi Ojha Aged About 64 Years R/o Sagobandh, P. S. Babhani District Sonbhadra, U. P.

---- Applicant**Versus**

- State of Chhattisgarh Through P. S. Sanawal District Balrampur-Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	: Shri A.N. Pandey, Advocate.
For Respondent/State	: Shri K.K. Dewangan, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

17/01/2019

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. 51/2018, registered at Police Station – Sanawal, District- Balrampur-Ramanujganj, (C.G.) for the offence punishable under Sections 365, 370(2), 374 of the Indian Penal Code, U/s 9 of Placement and Agency Act and U/s 4, 8, 9 (1), (2) of Chhattisgarh Private Placement Agencies (Regulation) Act 2013.
2. As per the prosecution story, on 13.08.2018 Complainant Prem Lal lodged a written complaint in the police station wherein it has been alleged that the present Applicant was continuously transporting some villagers from the Village Tarkeshwarpur from the last 2-3 years as Bandhuwa Majdoor. On the basis of the said report, after enquiry offence has been registered against the Applicant. During course of investigation, total 5 labours were recovered from Applicant's house. The Applicant has been taken into custody on 18.02.2018.
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 on the basis of evidence, no any offence can be made out against the Applicant. He also states that charge-sheet has been filed, the Applicant is in custody since 13.08.2018 and trial will take 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 the Applicant has no criminal antecedent, he is in custody since 13.08.2018 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. 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