

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 10052 of 2018**

Shyam Sundar Rana, S/o Bimal Chandra Rana, aged about 35 years, By caste Sonar, R/o Occupation, Labour Village Athangi, Thana, Gopi Ballabhpur, Distt. Jhargram, W.B.

---- Applicant**Versus**

State Of Chhattisgarh Through- Police Station Frashabhar, District-Jashpur, Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. Akhilesh Kumar, Advocate
For State	:	Ms. Sunita Jain, GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****22/01/2019**

1. This is an application filed under Section 363,370,371 and r/w Section 34 of the IPC for grant of bail to the applicant, who has been arrested in connection with Crime No. 36/2016 registered at Police Station Frashabhar, District Jashpur, Chhattisgarh for the offence punishable under Sections 363, 370, 371 of the Indian Penal Code.
2. The present applicant is in jail since 23.10.2017 in connection with the aforesaid Crime number.
3. The case of the prosecution is that the present applicant in connivance with the other accused persons is said to have abducted the complainants from Jashpur and thereafter they have taken them to different places on the pretext of providing them better employment and more salary than that they were presently getting at their village. It was also the case of the prosecution that the present applicant was also part of the Gang involved in Human trafficking. They used to bring girls from remote villages of the District Jashpur

and used to sell them in market for household work and for other jobs. The contention of the counsel for the applicant is that the two complainants Janki Bai and Shaniyaro has been examined before the Court and the both these witnesses have supported the case of the prosecution. It is the further contention of the applicant that there is a large number of omissions and contradictions in the statement of these witnesses on account of which the conviction of the applicant, may not materialize. Counsel for the applicant further contended that the present applicant has already remained in custody for about 15 months and therefore the present applicant should be released on bail on this ground also.

4. The State counsel opposing the bail application submits that, it is a case where the applicant is involved in an organized crime of human trafficking and that the statement of the witnesses also would show that the present applicant had also taken the complainant from their village Jashpur to different places. Thus, at this stage the applicant should not be released on bail.
5. Having heard the contentions put forth on either side and perusal of the record, it reveals that this Court had already granted bail to one Om prakash Mali co-accused in the present case in MCRC No. 7974/2018 on 12/11/2018. It further reveals that the applicant has already remained in custody for a period of 15 months. Moreover, from the statement of the two complainants Janki Bai and Shaniyaro also there does not appear to be any strong evidence made against the present applicant which could establish the offence punishable offence under Section 370, 371 of the IPC. Taking all these facts and

circumstances, this Court is of the opinion that a fit case has been made out for grant of bail to the applicant. Accordingly, the present application for grant of bail is allowed.

6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
Judge

Rohit