

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1617 of 2020**

- Champai Munda @ Champa Munda, S/o Bir Singh, Aged about 29 years, r/o Baidmara, PS Sonva, District Paschim Singh Bhumi (Jharkhand)

---- Applicant**Versus**

- State of Chhattisgarh, Through- Station House Officer, PS Kotra Road, District Raigarh (C.G.)

---- Respondent

For Applicant : Mr. Manoj Kumar Jaiswal, Advocate.

For Respondent/State : Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11/08/2020**

1. The accused/applicant has moved his second bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 19/2016 registered at Police Station- Kotra Road, District Raigarh (C.G.) for the offence punishable under Sections 363/34, 370/34 and 374/34 of IPC.
2. The first bail application of the applicant was dismissed as withdrawn with liberty to renew the same after examination of the material witnesses by the Hon'ble Court on 28.11.2019 passed in MCRC No. 6419/2019.
3. The prosecution story, in brief is that, on 21.01.2016 one Kalyani has been lodged FIR before the PS- Kotra Road, District Raigarh, the applicant and other co-accused person has kidnapped to the minor girl children and sold at Delhi, after the complaint has registered, the offence under Sections 363/34, 370/34 and 374/34 of IPC against the present applicant and other co-accused.
4. Learned counsel for the applicants submits that the

applicants are innocent and has been falsely implicated in the crime in question. He further submits that the kidnapped person who has not identified to the present applicant as per the statement recorded before the concerned court. The applicant is in jail since 18.02.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.

5. On the other hand, counsel for the State opposes the bail application submitting that the applicant did a very heinous crime and he kidnapped the minor girl for the purpose of exploitation, therefore, it is not a fit case to release him on bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release him on bail.
8. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**

Vasant