

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2946 of 2020**

1. Kallu @ Hariram Chauhan And Anr. S/o Ramjee Chauhan, Aged About 33 Years Caste Rajput, R/o Village And Post Office Upray, P.S. Goraghat, Tehsil And District Datiya (Madhya Pradesh).
2. Alrit S/o Nikolas, Aged About 43 Years Caste Oran, R/o Village Siharjori Kersai, Police Station Tapkara, District Jashpur Chhattisgarh. ---- **Applicants**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Tapkara, District Jashpur Chhattisgarh. ---- **Respondent**

For Applicant	:	Shri Arun Kumar Shukla, Advocate.
For State	:	Shri Ravish Verma, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****11/08/2020**

1. Heard on application for grant of bail.
2. The applicants have been arrested on 27.02.2020, on the allegation of having committed offence under Sections 363, 370/34 of Indian Penal Code. They moved this application for grant of bail in connection with Crime No.20/2020 registered at Police Station- Tapkara, District- Jashpur, C.G.
3. Prosecution case is that the applicants lured to the father and the minor children that they will be provided handsome remuneration and on this false assurance, minor children were taken for work to the State of Karnataka where they were exploited at the work place and proper food was not given and they were not being allowed to come back to their native village and upon report, they were rescued.
4. Learned counsel for the applicants submits that the allegation of abduction and human trafficking is not correct. Even according to the prosecution witnesses, including father and the children, they voluntarily agreed to go for certain work. The applicants were not involved in child trafficking. It is also submitted that as the children have already been recovered, investigation is complete, charge sheet has been filed and the applicants are not likely to abscond or tamper with prosecution witnesses, at this stage, they may be granted bail.

5. On the other hand, learned State Counsel opposes the prayer for grant of bail and submits that there is prima facie case made out against the applicants for abducting and involving in human trafficking.
6. Having considered the submission made by learned counsel for the parties, having considered that the charge sheet has been filed, considering that children have already been recovered, statements of the father of the children and 164 of CrPC statement of the children and further considering that no injury has been caused nor there is any allegation of sexual abuse and that investigation is complete, charge sheet has been filed and no material was disclosed that in the event of grant of bail, applicants are likely to misuse liberty or tamper with prosecution witnesses, therefore, bail application of the applicants is allowed.
7. Accordingly, the bail application is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with two local surety for the like amount to the satisfaction of the Trial Court on the condition that-
 - a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
 - b) The applicants shall not in any manner, tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge