

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4130 of 2020

- Narendra Kumar Rawte, S/o. Shri Prem Singh Rawte, Aged 34 years, R/o. Village Bitejhar, PS Khadgaon, district Rajnandgaon CG

---- Applicant

Versus

- State Of Chhattisgarh, Through Arakshi Kendra Mahamaya District Balod Chhattisgarh.,

---- Respondent

For Applicant	: Shri Ajay Kumrani, Advocate on behalf of Ms. Naushina Afrin Ali, Advocate
For Respondent /State	: Shri H.S.Ahluwalia, Dy.AG

Hon'ble Smt. Justice Rajani Dubey

Order On Board

14/08/2020

The applicant has filed this second application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 05/2018 registered at police station Mahamaya, district Balod (CG) for the offence punishable under Sections 363,3370 and 370(4) IPC.

The first bail application of the applicant was withdrawn with liberty to review the same after examination of the victim.

As per prosecution case, report was lodged by the father of the victim alleging that his son was found missing. It is alleged that his son was taken away by the applicant to Karnataka and thus has committed the offence of human trafficking.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He submits that the father of the victim has sworn in affidavit that he has no objection if the applicant is granted bail and that his son had gone with the applicant to visit his village where he was working as a daily wage labourer. He submits that the applicant is in jail since 31.10.2019; charge sheet has been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant and the fact that the father of the complainant has given affidavit, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 50,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge