

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4846 of 2020**

- Ram Sewak Toppo, S/o Raghunath, Aged about 28 years, R/o Village Paldha, PS Prattappur, District Surajpur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through – Station House Officer, PS-Premnagar, District Surajpur (C.G.)

---- Respondent

For Applicant : Mr. Nishi Kant Sinha, Advocate.
For Respondent/State : Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17/09/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 63/2019 registered at Police Station- Premnagar, District Surajpur (C.G.) for the offence punishable under Sections 363 and 370(5) of the Indian Penal Code, 1860.
2. The prosecution story in brief is that, it is alleged that co-accused person namely Rameshwari took the victim boys Suresh and Mukesh to provide them job with the help of co-accused Salen Uraon to the house of the present applicant, who took them along with him to Delhi at the house of Ashok Kewat and thereafter Mukesh was provided job at Jaipur, Rajasthan and Suresh was provided job at Indore, M.P. thereafter on the report of the father of Mukesh report was lodged and victim boys were recovered.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the main allegation is against the co-accused persons and nothing has been stated against the

present applicant and he also submits that the present applicant was not involved in abduction of the victim boys and neither he was involved in trafficking of the victim boys. He next submits that the applicant is in jail since 16.07.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious in nature; therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering that the applicant is in jail since 16.07.2019, and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the present applicant on bail. Accordingly, the bail application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge