

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8108 of 2019**

- Ashok Kumar S/o Chalittar Mukhiya Aged About 38 Years R/o Village Indra Enclave 2nd Floor- 10, Police Station Nebsaray, District-Gehrouli, New Delhi.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Of Police Station Surajpur, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Anil Gulati, Advocate.
For Respondent/State	:	Mr. Vaibhav K. Agrawal, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10.02.2020**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 190/2019 registered at Police Station : Surajpur, District Surajpur (C.G.) for the offence punishable under Sections 365, 323, 370, 374, 34 of IPC.
2. As per the prosecution case, on 01.12.2019, complainant Rameshwari Kujur lodged a report before the concerned police station alleging that she is living along with her two younger sisters. One of the co-accused Ramsevak Toppo was residing in her house as a paying guest and he offered them that he will provide job to them at Delhi and on that assurance complainant sent her younger sister along with the Ramsevak Toppo. Thereafter, the applicant took them in the

house of Nanhu as well as in the house of applicant. Thereafter, complainant received a call from her sister that the applicant is not behaving properly. The allegation against the present applicant is that he with co-accused persons kidnapped the victim with intention to sell her as a slave, unlawfully compelled her for labour work and committed mar-peat with her. On the basis of said complaint, after investigation, offence has been registered against the applicant and he has been arrested.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that the entire allegations levelled against the co-accused Ramsevak Toppo and there is no allegation against the present applicant. Applicant is in jail since 04.06.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.
4. On the other hand, State counsel strongly opposes the bail application and submits that the applicant with other co-accused persons have unlawfully kidnapped the victim with intention to sell her as a slave, compelled her for labour work and committed mar-peat with her in the name of getting her job. Thus, looking to the charges framed against the present applicant, he may not be granted bail.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the

case, nature and gravity of the case and particularly age of the victim, at this stage, I am not inclined to release him on bail.

7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

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

Vijay Sahu