

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8039 of 2019**

Murlidhar Tukaram Durgude, S/o Tukaram Durgude, aged about 53 years, Caste Maratha, R/o P.S. Jundar, District Pune, Maharashtra. At present – Pipri Pendhar, Durgude Pat Pipri Pendhar, Pune Maharashtra (In jail)

---- Applicant**Versus**

State of Chhattisgarh Through : Police Station Manendragah, District Koriya (C.G.)

----Non-applicant

For Applicant	:	Mr. R.K. Jain, Advocate.
For Non-applicant	:	Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****28/01/2020**

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 16/2019 registered at police Station Manendragarh, District Koriya (C.G.) for the offence punishable under Sections 363 and 370 of the Indian Penal Code, Sections 79 & 84 of Juvenile Justice (Care & Protection of Children) Act and Section 3(2)(v) and 3(2)(v-A) of the Scheduled Caste & the Scheduled Tribe (Prevention of Atrocities) Act, 1989.

(2) Case of the prosecution, in brief, is that on 11.11.2018 co-accused persons namely Sugriv and Rakesh took some young boys, in which some are minor and some are major, for doing labour work in the Bore Well Machine, which is owned by the applicant. Some of them were shifted at Hayderabad whereas some of them were shifted at Nasik. It is alleged that sufficient food and salary has not been given to them and they are treated as "Bandhua Majdoor". The matter was reported to the concerned police station, and upon investigation

and search, five boys were recovered from Nasik from the exclusive possession of the applicant and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that the applicant has falsely been implicated in the crime in question as there is no evidence available on record to connect the applicant with the crime in question. He further submits that applicant is in jail since 24.10.2019 and he is not involved either kidnapping or human trafficking and, therefore, he may be released on bail.

(4) On the other hand, learned counsel for the State submits that applicant has actively participated in the crime in question and, therefore, the applicant is not entitled for regular bail.

(5) I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

(6) Looking to the nature and gravity of the offence and the manner in which the offence of human trafficking is alleged to have been committed and looking to the seriousness of the crime in question, I am not inclined to release the applicant on bail. Therefore, the bail application is rejected.

Sd/-

(Rajani Dubey)
Judge

