

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8340 of 2019**

- Ashok Kumar Kewat S/o Chalittar Mukhiya Aged About 40 Years R/o C 5I, Karnar Khasra No. 648, Indira Enclave, Nevsaray, Police Station Nevsaray, Saket South Delhi.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Premnagar, 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. 63/2019 registered at Police Station : Premnagar, District Surajpur (C.G.) for the offence punishable under Sections 363, 370(5) of IPC.
2. As per the prosecution case, complainant Rameshwari Kujur lodged a report before the concerned police station alleging that co-accused Rameshwari, after alluring the minor children namely Mukesh and Suresh, kidnapped them and sent them to the present applicant at Delhi. The allegation against the present applicant is that he has sent both the minor child to the different places where they were unlawfully compelled to do labour work. Based on that, after investigation, both the

children were recovered, 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 next submits that the applicant is in jail since 16.07.2019 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 children with intention to sell her as a slave, compelled them to do labour work. 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 children, 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**