

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 75 of 2021**

- Govind Singh, S/o Somar Singh, aged about 20 Years, R/o Hartawa, Police Station Baidhan, District Singroli, Madhya Pradesh.

----Applicant

Versus

- State of Chhattisgarh, Through Police Station Raghunath Nagar, Balrampur, District Balrampur Ramanujganj, Chhattisgarh.

----Non-applicant

MCRC No. 274 of 2021

1. Veermanikandan, S/o Turaisamay, aged about 25 Years,
2. Shivakumar, S/o Pirumal, aged about 43 Years,
3. Bopalan Pal Raj, S/o Pal Raj, aged about 35 Years,

All are R/o Tiruchengode, District Namkkal, Tamilnadu.

----Applicants

Versus

- State of Chhattisgarh, Through Station House Officer, Police Station Raghunathnagar, District Balrampur-Ramanujganj, Chhattisgarh.

----Non-applicant

MCRC No. 742 of 2021

- Ramanuj Panika, S/o Ramvichar, aged about 20 Years, R/o Majholi, P.S. Raghunathpur, District Balrampur-Ramanujganj, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, P.S. Raghunathpur, District Balrampur-Ramanujganj, Chhattisgarh.

----Non-applicant

For Applicants	Shri Anshul Tiwari, Shri C.J.K. Rao & Shri Satya Prakash Verma, Advocates for the respective applicants.
For State	Shri Hari Om Rai, P.L.

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

25/02/2021

1. As all these applications filed under Section 439 of Cr.P.C. arise out of the same Crime No.136/2020 registered at police station Raghunath Nagar, Balrampur, District Balrampur-Ramanujganj, C.G. for the offence punishable under Section 370 read with 34 of Indian Penal Code and under Sections 4, 8 & 9 of C.G. Niji Niyojan Adhiniyam Act (Viniyaman), they are being disposed of by this common order.
2. Allegation against the present applicants is that they were illegally trafficking 52 labours out of which 31 were minor and 21 were major from Madhya Pradesh to Tamilnadu by Bus. On the basis of information received from an informant, police apprehended the accused persons and registered the above offence against them.
3. Learned counsel for the applicants submit that the applicants are innocent persons and have been falsely implicated in the case. They submit that allegation against the present applicants is false

and baseless as they were not transporting the minor children. The applicants have no criminal antecedents, charge sheet has already been filed, they are in custody since 10.11.2020 and conclusion of the trial will take some time. Therefore, they may be released on bail.

4. On the other hand, learned counsel for the State opposes the submissions made on behalf of the above applicants. However, he submits that the applicants have no criminal antecedents.
5. Heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, that 52 persons, out of which 31 were minor and 21 were adult, were allegedly being taken away by the applicants for getting them employment in Tamilnadu and except that there is no other allegation against the applicants, the major persons did not make any complaint that they were forcibly or without their consent taken away by the applicants, the detention period of the applicants, charge sheet has already been filed, the fact that the applicants have no criminal antecedents and there is no likelihood of the applicants tampering with the evidence or absconding as admitted by counsel for the parties and conclusion of trial may take some time, without expressing any opinion on the merits of the case, this Court is of the opinion that present is a fit case for grant of bail to the applicants. Accordingly, the applications are allowed. It is directed that in the event of each of the applicants executing a personal bond for a sum of

Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-

- (i) they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
- (ii) they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
- (iv) they shall not involve themselves in any offence of similar nature in future.

Sd/-
Gautam Chourdiya
Judge

Akhilesh