

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 87 of 2021

- Dharamraj Thakur @ Dharamraj Subramani S/o Subramani Thakur Aged About 28 Years R/o Irumpati Karkatti, Police Station Irumpati, District Namakkal (Tamilnadu)., District : Namakkal *, Tamil Nadu

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Pithora, District Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Non-Applicant

For Applicant	:	Shri Raghvendra Pradhan, Advocate
For Non-Applicant/State	:	Shri C.B. Kesharwani, P.L.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

19/03/2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested on 10.12.2020 in connection with Crime No.306/2020, registered at Police Station- Pithora, District- Mahasamund (C.G.) for the offence punishable under Section 370 of the IPC.
2. Case of the prosecution is that the complainant has lodged a report that the applicant was taking the labours namely- Sanjay Kumar Kamal, Shiv Kumar Bariha and Ram Kishan Lahre for labour work at Tamilnadu State on the assurance of providing them higher wages and on asking, the labours disclosed that the applicant was taking them for bonded labour. An offence was registered and the applicant was taken into custody.
3. Learned counsel for the applicant submits that the allegations against the applicant are false and fabricated, he is falsely implicated in the

case. He submits that only on the basis of suspicion, the applicant has been taken into custody. He submits that charge sheet has been filed and there is no criminal antecedent of the applicant and conclusion of trial may take some time, therefore, at this stage, the applicant may be granted bail.

4. On the other hand, learned counsel for the Non-Applicant/State opposes prayer for grant of bail and submits that there is no criminal antecedent of the applicant.
5. Having considered the submission made by learned counsel for the parties and the nature of allegations against the applicant; age and detention period of the applicant; charge sheet has been filed and as stated by learned counsel for the applicant, the applicant has no criminal antecedent; and conclusion of trial may take some time, I am inclined to grant bail to the applicant.
6. Accordingly, the bail application is allowed.
7. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail on following conditions:-
 - (a) he 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.
 - (b) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - (c) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
 - (d) he shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/
(Gautam Chourdiya)
Judge