

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.711 of 2021**

- Amit Kumar Kushwaha S/o Laalchand Kushwaha Aged About 20 Years
R/o Village Basantpur, Police Station Basantpur, District Balrampur
Ramanujganj Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Trikunda, District Balrampur
Ramanujganj Chhattisgarh

---- Respondent

For Applicant: Shri A. K. Yadav, Advocate
For Respondent/State: Shri Lalit Jangde, Dy.GA

Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****11/06/2021**

Heard.

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.12/2020 registered at Police Station Trikunda, District Balrampur-Ramanujganj for the offence punishable under Section 363, 370(4), 34 of IPC and Section 79, 81 & 84 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and Section 4, 8, 9(1)(2) of CG Niji Niyojan Adhiniyam and Section 3 of the Child Labour Act. The applicant was arrested on 27-02-2020.
2. Case of the prosecution is that the applicant was involved in human trafficking and minor tribal girls have been removed from the custody of their parents and they were sold out at other places and they have been subjected to different kinds of exploitation.
3. Learned counsel appearing for the applicant submitted that the prosecution story is false and fabricated to harass him, because girls had gone along with the applicant only after the consent of their parents as they have dancers and also assured payments and payments were also made to them. It is further submitted that allegation of sale of girls against the applicant is false and fabricated, because during the pendency of trial, their statements have

been recorded by the Labour officer in proceedings under the Labour Laws, which shows that the girls were being in telephone contact with their parents. It is lastly submitted that the applicant is in jail since 27-02-2020 and that the trial is not concluded till date, therefore, the applicant may be granted bail.

4. Learned counsel for the State/non-applicant opposes the bail application by submitting that the present is a case, where minor tribal girl was subjected to human trafficking and she has clearly stated before the Magistrate under Section 164 of the Cr.P.C. that she was taken away without the consent of her parents and she was taken to different places and later on, she was informed that she was sold out.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the nature of allegation against the applicant regarding involvement in human trafficking of minor tribal girl, who is alleged to have been exploited in many ways, no case for grant of bail is made out.

6. Accordingly, the bail application (MCRC No.711 of 2021) is dismissed.
Certified copy as per rules.

SD/-
(**Manindra Mohan Shrivastava**)
J U D G E