

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2959 of 2021**

- Kajaram Salam @ Chamra Ram, S/o Sukkuram Salam, aged about 32 Years, Resident of Village Padarpara, Udidgaon, P.S. Benur, Dist. Narayanpur, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through the Police Station Benur, Narayanpur.

---Non-applicant

For Applicant	Shri Raza Ali, Advocate.
For State	Shri Priyanshu Gupta, Panel Lawyer.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

09/08/2021

1. The matter is heard through Video Conferencing.
2. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.45/2020 registered at Police Station Benur, Narayanpur, C.G. for the offence punishable under Sections 294, 370(3)(4), 363 read with 34 of Indian Penal Code.
3. According to the prosecution case, in the month of July, 2019, victims were sent to Tamil Naidu by the applicant for providing job in the poultry farm. However, in the poultry farm, the victims were forced to work for 12 hours. The Manager of the farm used to abuse them filthily and did not allow them to go back to their

homes. Then, in the month of October, 2020, victims went to the police station and lodged the complaint against the applicant.

4. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that no such act as alleged has been committed by the applicant. Applicant is in custody since 12.10.2020, charge sheet has already been filed and due to COVID-19 pandemic, conclusion of the trial is likely to take some time. Therefore, he may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Heard learned counsel for the parties.
7. Considering the facts and circumstances of the case, the nature of allegation against the applicant, further considering the fact that the victims were working in Tamil Naidu for near about 1 ½ years but no missing report or complaint was lodged by their parents/relatives during this period, no objection raised by Rajlal Salam, Badru Salam and the victim on affidavits (Annexure -A) to release of the applicant on bail & as also the deposition of the victims filed along with the application for taking documents on record, the detention period of the applicant, who is 32 years old, charge sheet has been filed, the fact that the applicant has no criminal antecedents and there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel and due to COVID-19 pandemic, conclusion of trial may take some time, without commenting anything on merits of

the case, this Court is of the opinion that present is a fit case to release the applicant on bail. Accordingly, the bail application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.2,00,000/- with two sureties of Rs.1,00,000/- each to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-

- (i) 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,
- (ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- (iv) he shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- (v) he shall not involve himself in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicant involving himself in any offence in future.

Sd/-
Gautam Chourdiya
Judge