

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6551 of 2021**

- Chamru @ Damru Banvasi S/o Upasu Banvasi Aged About 35 Years R/o Village Baijalpur, Pahripara, Police Station - Seenapali, District - Nuapada, Odisha

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Mainpur, District Gariyaband, Chhattisgarh

---- Respondent

For Applicant
For Respondent /State

Mr. Shivendu Pandya, Advocate
Mr. P. Gupta, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya
Order On Board**25/10/2021**

1. Heard.
2. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.13/2019 registered at Police Station Mainpur, District Gariyaband (CG) for the offence punishable under Section 370(3)/34 of the IPC.
3. The case of the prosecution is that one Premlal Dhruv has

lodged a complaint in the Police Station that on 30.11.2018, he and Sarpanch of Gram Panchayat, Kulhadighat came to know that the villagers of Gram Panchayat, Kulhadighat and its dependent villages i.e. Kathwa, Matal, Besrajhar, Gaurmudh, Devdongar, Bhaludiggi were sent to other States by inducing them of doing less work and getting more wages, but they were in fact exploited by the employers by paying minimum wages and making them do more work. It is alleged that the applicant and other co-accused persons were involved in trafficking the villagers.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He submits that the co-accused has been granted anticipatory bail by the coordinate Bench of this Court vide order dated 12.4.2019 passed in MCRC No.368/2019. He also submits that the applicant has no criminal antecedents, there is no likelihood of the applicant tampering with the prosecution evidence or absconding, he is in jail since 11.7.2021 and trial is likely to take some time for its final disposal, therefore, the applicant may be released on bail by this Court.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Considering the facts and circumstance of the case, the nature of allegations levelled against the applicant, looking to the detention period of the applicant, who is aged about 35 years,

as also that the charge sheet has already been filed and there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel and conclusion of trial may take some time and further that the co-accused has been granted anticipatory bail by this Court, without expressing any opinion on the merits of the case, this Court is inclined to release the applicant on regular bail.

7. Accordingly, the application is allowed.
8. It is directed that in the event of applicant 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, he shall be released on bail, on 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/her 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 not involve himself in any offence of similar nature in future.
9. 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 similar nature of offence.

Sd/-
(Gautam Chourdiya)
Judge