

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7601 of 2021**

- Manoj Pal Son Of Roshan Pal (Wrongly Mentioned As Roshal Lal) Aged About 28 Years Resident Of Village - Richhai, Majira, Radhapur, Police Station - Khaniyadhana, District - Shivpur (Madhya Pradesh) ---- **Applicant (In jail)**

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station - Ranchirai, District - Balod (Chhattisgarh) ---- **Respondent**

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| For Applicant        | : Shri BP Singh, Advocate |
| For Respondent/State | : Shri Sudhir Sahu, PL    |

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**Hon'ble Shri Justice Parth Prateem Sahu****Order on Board****01.12.2021**

1. Applicant has preferred this application under Section 439 CrPC for grant of regular bail as he has been arrested in connection with Crime No. 42 of 2021 registered at Police Station Ranchirai, District- Balod, Chhattisgarh for the offences punishable under Sections 366, 368, 370(A)(2), 376(2)(n), 420, 323, 506, 496, 34 and 38 of the IPC.
2. Case of the prosecution is that three missing girls' report was lodged at Police Station Ranchirai stating that girls are missing from their houses. Based on missing report, Police started investigation and reached Indore. During the course of investigation, Police interrogated Nihal Singh, from whom one missing girl was recovered. During the course of investigation, it also revealed that one girl got married with Mukesh Pal and she is residing at Gujarat. Upon giving a phone call to Mukesh Pal, girl picked up the phone and thereafter, she was called at Indore. Police recovered all three missing girls and brought them to Balod. Their statements were recorded, based upon which crime was registered against applicant and other co- accused persons.

3. Shri BP Singh, learned counsel for the applicant would submit that applicant is not involved in any manner in commission of alleged crime. Allegation of abducting if any, is against co-accused Nihal Singh. Allegation of selling girls is also upon him. Co-accused Mukesh Pal, with whom one girl got married and resided with him for a considerable period at Ranchirai, Pichore, District Shivpuri and thereafter, they went to Ahmedabad, Gujarat. She was residing with Mukesh Pal, where, present applicant was also residing. When co-accused Mukesh Pal did not let her go out, she intimated this fact to other employees of Company. Applicant only accompanied her to Indore, except this act of accompanying one girl, there is no other allegation of any nature against applicant. Applicant is in jail since 04.06.2021. Other co-accused persons Abhishek Jatav, Ajay Jatav and Jitendra Solanki were enlarged on regular bail in MCRC-4715 of 2021 and 5527 of 2021. Hence, applicant may also be released on regular bail.

4. Shri Sudhir Sahu, learned counsel for the State opposing the submission made by learned counsel for the applicant submits that as per allegation, when co-accused Mukesh Pal took one girl/prosecutrix with him in a house, present applicant is also residing with him. Hence, there is clear involvement of applicant in commission of crime. However, on putting specific query with regard to any other allegation of detaining or making physical relationship with prosecutrix, after going through case diary, particularly statement of prosecutrix (one amongst three), recorded under Section 164 CrPC, she submits that when prosecutrix was returning, applicant accompanied her. He read over contents of statement recorded under Section 164 of the CrPC.

5. I have heard learned counsel for the parties.

6. Taking into consideration nature of allegations against applicant, facts and circumstances of the case, there is no specific allegation levelled against applicant of abduction, marriage or selling of any of prosecutrix, statement recorded under Section 164 CrPC, and period of detention, without commenting anything on merits of the case, I am inclined to enlarge the applicant on bail.

7. Accordingly, the bail application is allowed. It is directed that the applicant shall be released on regular bail upon furnishing personal bond in the sum of Rs.1,00,000/- (Rupees one lakh) with one local surety in the like sum to the satisfaction of the Court below concerned on the condition that:

- a) Applicant shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) Applicant shall not in any manner, tamper with the prosecution witnesses.
- c) If the applicant is found involved in similar offence in future, it will be open for the State to apply for cancellation of bail.

Certified copy as per rules.

Sd/-  
(Parth Prateem Sahu)  
JUDGE