

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7623 of 2021

1. Sandeep Singh @ Sanju Singh, S/o Late Vijay Bhushan Singh, Aged About 35 Years, R/o Village Dugdugiya, Post Kunkuri, Police Station Kunkuri, District- Jashpur, Chhattisgarh.
2. Pratima Minj, W/o Sandeep Singh, Aged About 36 Years, R/o- Village Dugdugiya, Post Kunkuri, Police Station Kunkuri, District- Jashpur, Chhattisgarh. **---- Applicants**

Versus

- State of Chhattisgarh, Through- S.H.O., Police Station Kunkuri, District- Jashpur, Chhattisgarh. **---- Non-Applicant**

For Applicants	: Shri Chitendra Singh, Advocate
For Non-Applicant/State	: Shri Rahim Ubwani, P. L.

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

17.11.2021

Heard.

- 1) First bail application of the applicants was dismissed as withdrawn by this Court vide order dated 03.08.2021 in MCRC No. 5090 of 2021.
- 2) The applicants have preferred this Second Bail Application under Section 439 of Code of Criminal Procedure, 1973 as they are in jail since 19.02.2021 in connection with Crime No. 11/2019 registered at Police Station- Kunkuri, District- Jashpur (C.G.) for the offence punishable under Sections 363, 374, 370, 370(3)(4), 506 of IPC.
- 3) Allegation against the applicants is that they took the victim for proving high wage at Delhi and forcibly made her do excessive work as a from her as a result of which she returned from Delhi secretly and narrated the entire story to the complainant namely Gauri Jaydeep Deshpandey, who is member of Railway Child

Line Nagpur. Thereafter, the matter was reported to the police.

- 4) Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. Learned counsel for the applicants further submits that the PW/1 & PW/2 who are victims of the case have not supported the prosecution case and turned hostile, there is no likelihood of the applicants tampering with the prosecution evidence or absconding. The applicants are in jail since 19.02.2021 and trial is likely to take some time for disposal. Therefore, the applicants be released on bail by this Court.
- 5) On the other hand, learned counsel for the Non-applicant/State opposes the bail application.
- 6) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, depositions of the PW/1 & PW/2 they have not supported the prosecution story, no allegation made against the present applicants, the detention period of the applicants, who are 35 & 36 years old, there is no likelihood of the applicants tampering with the prosecution evidence or absconding as admitted by both the counsel, looking to the changed circumstances, without commenting on merits of the case, the application on behalf of the applicants is allowed.
- 7) It is directed that in the event of each of the applicants 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, they shall be released on bail on the following conditions:-
 - (a) they 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) they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - (c) they shall appear before the trial Court on each and every date given to them by the said Court till

disposal of the trial,

(d) they shall not involve themselves in any offence of similar nature in future,

(e) they shall strictly follow the COVID-19 protocol issued by the Central Government/State Government/Local Authority.

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

Sd/-
(Gautam Chourdiya)
Judge

Nadim