

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9360 of 2020**

- Nanhu Kumar S/o Late Chaudhary Kanwar, Aged About 23 Years R/o Village - Semra Kala, Police Station And Tahsil And Post - Kusmi, District, Balrampur Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through - S.H.O. Police Station, Surajpur, District Surajpur Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Gyan Prakash Shukla, Advocate.
For Respondent/State	:	Mr. Alok Nigam, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****23.02.2021**

1. The accused/applicant has moved this **Second Bail Application** under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 190/2019 registered at Police Station Surajpur, District Surajpur (C.G.) for the offence punishable under Sections 365/34, 323, 370, 374 of the IPC.
2. Earlier bail application of the applicant was dismissed as withdrawn on 08.11.2019 passed in MCRC No. 5456/2019.
3. As per the case of prosecution, co-accused Ramsevak Toppo came to the house of complainant and offered her a job in New Delhi. Thereafter, complainant along with her sisters namely Soniya Kujur and Kalawati Kujur reached Delhi. After 2-3 days complainant returned her house due to illness and said the present applicant and co-accused to send back her sisters as well but they didn't do so and

behaved in constrained manner. Thereafter, the complainant lodged a report against the present applicant and co-accused person.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that in the crime number 63/2019 name of all the co-accused have been mentioned but the name of the present applicant is not mentioned anywhere, which shows the applicant has been falsely implicated by the complainant. The complainant Remeshwari is already arrested in the crime of human trafficking in crime No. 63/2019. As the applicant is in jail since 28.05.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, therefore, the present applicant may be released on bail.
5. Per contra, State counsel opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the totality of the facts and circumstances of the case, nature of allegation and detention period of the applicant, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs. 50,000/- with one local surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

**Sd/-
(Rajani Dubey)
Judge**