

(2021) 05 CHH CK 0017

In the Chhattisgarh High Court

Case No : Miscellaneous Criminal Case (MCRC) No. 2421 Of 2021

Balbhadra Prajapati

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 12-05-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 363, 370(5)
Code Of Criminal Procedure, 1973 — Section 439

Citation : (2021) 05 CHH CK 0017

Hon'ble Judges : Rajani Dubey, J

Bench : Single Bench

Advocate : Shriya Mishra, Devendra Pratap Singh

Final Decision : Disposed Of

Judgement

Rajani Dubey, J

1. The applicant has preferred this First bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested

in connection with Crime No.515/2020, registered at Police Station - Kota, District Bilaspur (C.G.) for the offence punishable under Sections 363,

370(5) and 34 IPC.

2. Allegation against the present applicant is that he along with other accused persons were illegally trafficking some minor children from Orrisa to

Raipur for labour work by Bolero bearing registration No.OD-9-A-63902 & Marazo bearing registration No.MP65-T-3555. On the basis of

information received from an informant on 28.11.2020, police apprehended the accused persons including the present applicant and registered the

offence against him. The present applicant has been taken into custody on 20.02.2021.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. She further submits that vide order dated 17.03.2021 passed in MCRC No.9278/2020 and 710/2021 other accused persons have already been granted bail by this Court, therefore, the present applicant may also be extended benefit of regular bail.
4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, and further considering the fact that vide order dated 17.03.2021 passed in MCRC Nos.9278/2020 and 710/2021 other accused persons have already been granted bail by this Court, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one local surety for the like amount to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed, till the final disposal of the trial.
9. I.A.No.02/2021, for hearing during summer vacation stands disposed of.