

(2018) 03 CHH CK 0143
In the Chhattisgarh High Court
Case No : MCRC No. 3 of 2018

GALO @ MOTI @ DASHMANIYA

APPELLANT

Vs

STATE OF CHHATTISGARH

RESPONDENT

Date of Decision : 12-03-2018

Acts Referred:

Criminal Procedure Code, 1973 — Section 439

Indian Penal Code, 1860 — Section 34, 294, 506-B, 323, 458, 325(r), 325(w)

Citation : (2018) 03 CHH CK 0143

Hon'ble Judges : RAJENDRA CHANDRA SINGH SAMANT

Bench : Single Bench

Advocate : Anil Gulati, V.B. Singh

Final Decision : Allowed

Judgement

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has

been arrested in connection with Crime No.36/2017, registered at Police Stationâ?" Premnagar, Districtâ?" Surajpur(C.G.) for the offence punishable

under Section 363, 366(A), 370 (2,3,5,6) r/w 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against the

applicant, on the basis of the material present in the charge-sheet filed against her. Applicant is in jail since 5.4.2017 and she is ready to abide by all

the conditions and directions, which may be imposed while granting bail to her. Hence, it is prayed that she may be released on bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that no case is made out for grant of bail.

Hence, she is not entitled for grant of bail.

4. Heard both the parties and perused the case diary.
5. Complainant Saghran lodged FIR against this applicant and another co-accused Nohru Oraon alleging that both the accused had enticed away the minor girls namely-Jageshwari, Phool Sundri, Nanki Bai and Sunderi on pretext of providing job in Delhi and had abducted them for ulterior purpose of trafficking them, on that basis FIR has been lodged.
6. Considered.
7. On perusal of the case diary and specifically statement of one of the victims namely-Jageshwari, she was offered for placement in New Delhi by the main accused Nohru and this applicant had helped the victim in traveling along with them to New Delhi. Some job was also done by the victims, but their accounts were settled and they returned to their place because of the FIR lodged by the father of victim Jageshwari.
8. Taking into consideration on the material present in this case, I am of this view that applicant should be deserved to be benefited with grant of regular bail.
9. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.