

ORDER BELOW EXH.1
(Passed on 10.08.2026)

1) The present bail application is filed in crime No. 323/2026 registered at Police Station, Ballarpur under section 137(2), 143(2), 143(4) of BNS, 2023.

2) The Ld. Advocate for accused mainly urged that, the allegations against the accused are baseless and false. They are labours. The accused No. 1 and 2 are already released on bail by Magistrate. The investigating officer has invoked the sections 143(2), 143(4) lateron in the said crime. The accused are ready to co-operate the investigating machinery. They are ready to abide all conditions. Hence, he prayed to release them on bail.

3) Per-contra, the Ld. APP urged that, the offence is serious in nature. The accused assisted in human trafficking / sale of child. If they are released on bail, then there is every possibility of tampering with prosecution witnesses. There is possibility of absconding. Hence, he prayed to reject the said application.

4) Heard the rival submissions at length. Ongoing through the FIR it shows that, the offence was registered against unknown accused for human trafficking. Lateron,

during investigating the accused were arrested as they found involved in the said offence. Initially the offence was registered under section 137(2) of BNS. Later on, the sections 143(2), 143(4) were added.

5) The undisputed facts are that, the accused No.1 to 5 are already released on bail. The present applicants/accused are also involved in the same crime and their role as alleged shows that, they have assisted in the said crime to other accused. At this juncture, it shows that, their role is equal to other accused. Therefore, they are entitled to be released on the ground of parity. Moreover, the charge-sheet is filed before the Hon'ble Magistrate. The investigation is over and their custodial interrogating is not warranted. No purpose will be served by putting them behind the bars. The apprehension expressed by prosecution during the course of hearing as mentioned in Para-3 can be balanced by imposing the stringent conditions on accused. Consequently, I pass the following order :-

ORDER

- 1) The applicants/accused No.1 Rahul Pawan Mehata and No.2 Ajay Bapu Durge are released on bail on executing a PB and SB of Rs.50,000/- (Rs. Fifty Thousand Only) each

with one or two solvent sureties, in the like amount.

- 2) The applicants / accused to furnish the bail papers before the concerned Magistrate.
- 3) Applicants/accused not to tamper the prosecution witnesses, in any manner whatsoever.
- 4) The applicants/accused shall not repeat the offence.
- 5) The applicants/accused shall mark their presence on each Monday to Ballarpur Police Station between 01.00 to 05.00 p.m. till December 2026.
- 6) The applicants/accused not to contact to informant and her family in any way.
- 7) The applicants/accused to provide their permanent address to the investigating officer.
- 8) The applicants/accused to co-operate the Investigating Officer.
- 9) Needless to say that, failure to comply any condition, the prosecution is at liberty to apply for cancellation of bail.

(Abhay K. Lahoti)
Sessions Judge, Chandrapur.
Date : 10.08.2026.