

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 3448 OF 2015**

Tilakdas Mahant S/o Asadu Das, aged about 20 years, R/o Village Telicot,
Tahsil-Kharsiya, P.S. Kharsiya, Civil & Revenue Distt. Raigarh (C.G.)

---Applicant

Versus

State of Chhattisgarh, through, Station House Officer, Police Station
Kharsiya, Distt. Raigarh (C.G.)

---Non-applicant

For Applicant	:	Mr. Awadh Tripathi, Advocate
For Non-applicant	:	Mr. Suvigya Awasthi, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****27/07/2015**

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. 103/2015, registered at Police Station Kharsiya, Distt. Raigarh (C.G.), for the offence punishable under Sections 363, 366, 34 of I.P.C.

2. Case of the prosecution, in brief, is that on 18/03/2015 one co-accused Tikeshwar with the help of other co-accused persons abducted complainant in order to compel her to marry with him against her will and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that applicant was neither named in the FIR nor in the statement of complainant recorded under Section 161 of the

Cr.P.C. He would lastly submit that charge sheet has been filed and applicant is in jail since 20/03/2015 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; applicant is not named in the FIR; charge sheet has been filed and pretrial detention of the applicant, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the 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.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE