

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5691 of 2015

Sanjay Kohli S/o Banshraj Kohli Aged About 24 Years Caste -
Satnami, R/o Village - Matiya, P.S. - Giroudhpuri Chowki, P.S. -
Gidhouri, Civil & Revenue District - Baloda Bazar Bhatapara.
Chhattisgarh Present R/o Village Badhra, P.S. - Pamgarh, District
Janjgir Champa Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through - P.S. - Giroudhpuri Chowki, P.S. -
Gidhouri, Civil & Revenue District - Baloda Bazar Bhatapara
Chhattisgarh

---- Respondent

For applicant - Shri Sumit Jhanwar, Advocate.
For Respondent/State – Shri Om. P. Sahu, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

16/11/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 349/2013 registered in Police Station Gidhouri, District-Baloda Bazar Bhatapara (C.G.) for offence punishable under section 363, 366, 368 & 376/34 of IPC & 4, 17 & 18 of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case on 25/09/2013 prosecutrix was abducted with the help of the friend of the applicant on the pretext of marriage and thereafter she travelled at different places along with the applicant and on that basis case was registered.

3. Learned counsel for the applicant submits that charge sheet in this case has been filed and applicant was married to the prosecutrix and they were living together and child has been born out of the wedlock. Learned counsel for the applicant places his reliance on the marriage certificate issued in favour of the applicant. Therefore, he submits that applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. After observing the documents which is marriage certificate along with the affidavit of the prosecutrix wherein she has stated that she has been married with the applicant and out of the marriage two children are also born, without any observation on merit, taking in to fact that charge sheet has been filed, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE