

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6146 of 2015

- Dev Narayan Yadav, S/o Dhanaram, Aged About 19 Years (Wrongly Mentioned As Dhanam Ram In The Order Sheet) Yadav, Caste Yadav, R/o Village Kosmanda, Police Station - Champa, Civil and Rev. Distt. Janjgir Champa Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Urga, District Korba Chhattisgarh.

---- Respondent

For the applicant	:	Mr. Dharmesh Shrivastava, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.11.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 204 of 2015 registered at P.S. Urga, Distt. Korba (C.G) for the offence punishable under Sections 363 & 366 of IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution version, the victim was residing with her parents at village Faraswani and in the night of 27.07.2015 she went missing. A report was made by the mother of victim when she was found missing. Subsequently the victim was recovered and on being investigated, the offence was registered and the accused was arrested.
3. Learned counsel for the applicant submits that the charge sheet has been filed in this case and according to the statement under Section 161 Cr.P.C., she herself went to

Bilaspur for her livelihood and voluntarily came back and there was no role played by the applicant. He therefore submits that no case is made out against the applicant and prays for releasing him on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Taking into account the statement under Section 161 Cr.P.C., wherein she has not alleged against the applicant and considering the fact that the charge sheet has been filed, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He is directed to appear before the said Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**