

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6918 of 2015

- Sandip Anand Deshlahre S/o Shri Jhab Singh Deshlahare
Aged About 22 Years R/o Village Ghanora, Post : Hanoda,
Tahsil & District - Durg (Chhattisgarh). --- **Petitioner**

Versus

- State of Chhattisgarh Through : Station House Officer, Police
Station, Nevai, District - Durg (Chhattisgarh).

---- Respondent

For the applicant	:	Dr. Shailesh Ahuja, Advocate
For the Respondent	:	Mr. Samir Behar, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.12.2015

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.92/2015 registered at P.S. Nevai, Distt. Durg (C.G) for the offence punishable under Sections 363, 366 & 376 of IPC.
2. Case of prosecution, in brief, is that the applicant has allured the victim girl on the pretext of marriage and thereafter took him away from the custody of the parents and subsequently on the pretext of marriage, committed sexual intercourse.
3. Learned counsel for the applicant submits that as per the statement of prosecutrix, she was not forcibly taken away by the applicant and the applicant has performed marriage with the girl. He submits that the applicant has been falsely implicated in this case only at the instance of the mother of the prosecutrix. He further submits that the applicant is in jail since 30.07.2015 and looking to the period of custody, he

may be released on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Having considered the statement of the prosecutrix u/s 161 Cr.P.C., wherein she has stated that she has performed marriage with the applicant and she was not forcibly taken away by the applicant and looking to the period of custody of the applicant, I am inclined to release him on bail. Accordingly, the application is allowed.
6. 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 trial Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE