

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6199 of 2015

Shrawan Kumar, son of Dilsai Kurre, aged about 35 years, resident of village Guturma P.S. Sitapur, District Surguja (C.G). ... **Petitioner**

Versus

State of Chhattisgarh through Police Station Kapu, District Raigarh (C.G).

... **Respondent**

For the applicant	:	Mr. Vineet Pandey, Advocate
For the Respondent	:	Mr. S. R. J. Jaiswal, Panel Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24 .11.2015

1. This is an application filed under section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant in connection with Crime No.59/2015 registered at Police station Kapu, Distt. Raigarh Chhattisgarh for the offences punishable under sections 363, 370, 371, 374/34 IPC.
2. As per the prosecution case, a report was lodged by the father of prosecutrix that his daughter aged about 17 years had gone to make a domicile certificate but she did not come back and subsequently it was found that this applicant has enticed the prosecutrix and took her with him.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case no statement has been given by the prosecutrix to substantiate that this applicant has enticed the girl. He submits that initially the girl went from Kapu to Sitapur with her friend Renu Ekka and thereafter, the applicant met her at Sitapur Bus stand and on her request, the applicant accompanied and dropped her at Ambikapur. He, therefore, submits that there are no positive allegations against the applicant and looking to the period of custody

as he is in jail since 26.07.2015, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. I have gone through the case diary and the statements recorded u/s 161 and 164 Cr.P.C., and also the statement made before the Committee of Bal Kalyan.
6. Considering the statements of prosecutrix wherein no direct allegations have been made against the applicant and taking into the role of this applicant and further looking to his period of detention, I am inclined to enlarge the applicant on bail.
7. Accordingly the application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the said Court on each and every date to be give by the said Court.
8. Cc as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**