

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4168 of 2015**

- Akash Chakradhari, S/o Praveen Chakradhari, aged about 19 years, R/o Near Nasha Mukti Kendra, Dhamdha Naka, Kailash Nagar, Durg, Tahsil Durg Civil and Revenue District Durg (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: Police Station Mohan Nagar, Civil and Revenue District Durg (C.G.)

---- Non-applicant

For Applicant: Mr. Atanu Ghosh, Advocate.
 For Non-applicant/State: Mr. S.R.J. Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****24/08/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No. 190/2015 registered at Police Station Mohan Nagar, District Durg (C.G.) for the offences punishable under Sections 363 & 366 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant is said to have kidnapped the minor complainant in order to compel her to marry with him against her will and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the offence in question as he has not committed any offence; in-fact she is major and consenting party to the act of the applicant; and she has gone with the applicant voluntarily and, as such, there is no allegation of rape against the applicant. He further submits that charge sheet has already been filed and he is jail since 15.05.2015 and no useful purpose would be served in detaining him in jail and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Considering the totality of the facts, in particular, the facts that applicant is in jail since 15.05.2015; charge sheet has already been filed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

