

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6643 of 2015

1. Ravi Dhurve, S/o. Sukhchian Dhurve, aged about 22 years, R/o. Plansari, P.S. Pandatarai, District – Kabirdham (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station - Dadhi, District – Bemetara (Chhattisgarh)

---- Respondent

For Applicant	:	Mr. Aman Kesharwani, Advocate
For Respondent/State	:	Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.71/2015, registered at Police Station – Dadhi, District – Bemetara (C.G.) for the offence punishable under Section 363, 366, read with Section 34 of I.P.C. and U/s.8 of Protection of Children from Sexual Offences Act, 2012 and U/s.3/181, 5/180 of Motor Vehicle Act.
2. Case of the prosecution, in brief, is that a report was lodged by the father of the prosecutrix that her minor daughter was missing and subsequently on investigation it was found that one Bhism Chandrakar has eloped the prosecutrix with the help of Ravi Durve, the present applicant.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that main accused is Bhism Chandrakar and the applicant has not committed

any offence and at the instance of the other co-accused, Bhism Chandrakar, the prosecutrix has eloped and this applicant has helped the victim to join with Bhism Chandrakar and the prosecutrix of her own will gone with Bhism Chandrakar. He would submit that the applicant is in jail since 19.09.2015, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. I have gone through the statement under Section 164 of Cr.P.C. wherein against the applicant allegation is made that at the instance of Bhism Chandrakar, the victim travelled alongwith him and no wrong has been done by this applicant. Taking into the facts and circumstances of the case and the allegation levelled against this applicant, without any observation on merits, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge