

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6508 of 2015

Santosh Manjhi S/o. Satrugan Manjhi, aged about 35 years,
Occupation – Labour, R/o. Village Junwani, Tahsil and District
Raigarh, Civil and Revenue District Raigarh

---- Applicant

Versus

State of Chhattisgarh Through Police Station – Punjipathara,
District Raigarh (C.G.)

---- Respondent

For Applicant	:-	Shri Sanjay Agrawal, Advocate
For Respondent/State	:-	Shri Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

01/12/2015

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. 80/2014 registered at Police Station – Punjipathra, District – Raigarh (C.G.) for the offence punishable under Sections 363,366 of IPC and section 4 of Protection of Children from Sexual Offence, 2012.
2. As per the prosecution case in brief is that on 17.06.2014 the complainant Bhagwan Manjhi lodged a report before the Police Station Punjipathara, stating that on 16.06.2014 his daughter has eloped with the applicant. Thereafter the Police registered the aforesaid offence against the applicant.
3. Counsel for the applicant submits that the applicant has been falsely implicated in this case and the charge sheet has been filed. He further submits that the statement recorded under

section 164 of Cr.P.C. wherein she herself went with the applicant at Deharadun for labour work and nothing has been attributed to the applicant and therefore, he may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Having regard to the fact and perusal of the statement recorded under section 164 of Cr.P.C. wherein she has not supported the case of the prosecution and stated that she herself had gone with the application for labour work, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge