

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MISC. CRIMINAL CASE NO. 3008 OF 2015**

Jaswant Ekka, S/o Libnus Ekka, aged about 22 years, resident of village Harri, Police Station Asta, District Jashpur (Chhattisgarh).

---Applicant**Versus**

State of Chhattisgarh, through the Station House Officer, police station Gandhi Nagar Ambikapur, District Surguja (C.G.).

---Non-applicant

For Applicant	:	Mr. V.K. Pandey, Advocate
For Non-applicant	:	Mr. S.R.J. Jaiswal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****01/07/2015**

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. 22/2015, registered at Police Station Gandhi Nagar, Ambikapur, District Surguja (C.G.), for the offence punishable under Sections 363 and 366 of Indian Penal Code read with Section 11(4)/12 of the Prevention of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that applicant abducted/kidnapped the minor girl (victim) to compel her to marry with him against her will and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and he has been falsely implicated in the offence in question. He would further submit that charge sheet has been filed and

applicant is in jail since 03/02/2015, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would offence the prayer for grant of bail and submit that the victim was minor on the date of offence.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant; pretrial detention of the applicant; statement of the victim, this Court is of the opinion that present is the 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 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/-
(Sanjay K. Agrawal)
JUDGE