

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5300 of 2015

1. Shahbaj @ Seikh Sadik, S/o. Seikh Murad, aged about 23 years, residing at House No.15, A Block Ghattakadih Line 2 P.S. Bistupur, Jamshedpur, Revenue and Civil District Purv Singhkum (Jharkhand) (Address as per challan)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the Police Station Bodhghat, District Bastar (C.G.)

---- Respondent

For Applicant	: Mr. P.K. Tulsyan, Advocate
For Respondent/State	: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/11/2015

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.165/2015, registered at Police Station – Bodhghat, District Bastar (C.G.) for the offence punishable under Section 363 and 366 (A) of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 16.06.2015, the complainant has lodged the FIR alleging that the victim, who is the grand daughter of the complainant was abducted by the applicant and during the investigation, the victim was seized from the custody of the applicant.
3. Learned counsel for the applicant would submit that the victim is more than 17 years of age and according to the prosecution itself, she went in separate vehicle to Raipur from Jagdalpur, therefore, no charge of abduction of the victim is made out. He would further submit that the

charge sheet in this case has been filed and the applicant is in jail since 18.06.2015. Therefore, he 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. Having regard to the fact and statement, the victim travelling in separate bus and taking into the nature of the offence, 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