

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6139 of 2015

1. Ramesh Chauhan, aged about 24 years, S/o. Shri Kejwa Chauhan, R/o. Village – Tarra, Tahsil, Police Station and Post – Dharseeva, District – Raipur (C.G.)

----Applicant

Versus

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

---- Respondent

For Applicant	:	Mr. Basant Kaiwartya, Advocate
For Respondent/State	:	Mr. U.K.S. Chandel, 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.67/2014, registered at Police Station – Vidhansabha, District – Raipur (C.G.) for the offence punishable under Section 363, 366, 376 of I.P.C. and Section 6 of Protection of Children from the Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that a complaint was lodged by the father of the prosecutrix alleging that her minor daughter was missing, subsequently on enquiry, it was revealed that this applicant is also missing from 21.11.2014 in the village and thereafter, the prosecutrix was recovered from this applicant.
3. Learned counsel for the applicant would submit that the prosecutrix herself went alongwith the applicant and stayed and they married to

each other. He would further submit that the applicant is in jail since 27.11.2014, 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. Having regard to the statement under Section 164 of Cr.P.C., wherein it is stated that the applicant has kept the prosecutrix as his wife and stayed at Delhi and Haryana and doing the job of labour, for the purpose of bail, without in 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