

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 1143 of 2015**

1. Jagdish @ Padman S/o Dayaram Aged About 70 Years R/o Village Pauni Police Station Pandariya, District Kawardha, Civil and Rev. Distt. Kawardha Chhattisgarh.
2. Dharmin Bai, W/o Jagdish, Aged About 65 Years, R/o Village Pauni Police Station Pandariya, District Kawardha, Civil And Rev. Distt. Kawardha Chhattisgarh.
3. Kartik Ram S/o Silva Aged About 55 Years R/o Village Biladi, Police Station, Tilda-Nevra District, Raipur Civil And Rev. Distt. Raipur Chhattisgarh.
4. Rajbai W/o Madan Aged About 28 Years R/o Village Biladi, Police Station, Tilda-Nevra District, Raipur Civil And Rev. Distt. Raipur Chhattisgarh. ... Applicants

**Versus**

5. State Of Chhattisgarh Through The Station House Officer, Police Station Tilda-Newra, District Raipur Chhattisgarh. ---- Respondent

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| For the applicants | : | Mr. Avinah Chand Sahu, Advocate.    |
| For the Respondent | : | Mr. S.R.J. Jaiswal, Panel Advocate. |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**02.12.2015**

1. Apprehending arrest in connection with Crime No.191/2015 of registered at Police Station Tilda Newra, Civil and Revenue District Raipur, Chhattisgarh for the offences punishable under Sections 363, 366, 376 of IPC and sections 4 & 17 of the Prevention of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, a report was made by one Hemraj complainant that on 29.07.2015 that his daughter aged about 14 years was enticed away by co-accused Madan Joshi and thereafter on the pretext of marriage, committed sexual intercourse with her whereby the prosecutrix became

pregnant. The allegation against the present applicants is that being family members, they have supported the illegal act of co-accused Madan thereby the offence is committed.

3. Learned counsel for the applicants submits that the applicants 1 & 2 are mother and father of co-accused Madan, A-3 Kartikram is father-in-law of accused and A-4 Rajbai is wife of accused and all they have been falsely implicated in this case. He further submits that as per the statement of the prosecutrix, no allegations have been made against these applicants therefore, no offence can be attributed to them.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. I have gone through the statement of the prosecutrix wherein primary allegation has been made against main accused Madan husband of applicant Rajbai that he has enticed the prosecutrix and thereafter performed marriage.
6. Taking into fact that the main allegations are against the accused Madan, I am inclined to release the applicants on anticipatory bail.
7. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting him on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the officer arresting them or the concerned Investigating Officer. The applicants shall also abide by the following conditions :-
  - (i) that they shall make themselves available for interrogation before the investigating officer as and when required;
  - (ii) that they shall not, directly or indirectly, make

any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or any police officer;

- (iii) that they shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

C.c. as per rules.

**Sd/-**

**GOUTAM BHADURI  
JUDGE**

Rao