

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4792 of 2015**

Vikki @ Basant Mandal S/o Shri Babulal Mandal, aged about 22 years, R/o village-Santoshi Nagar, Dharamjaygarh, Thana-Dharamjaygarh, Civil & Revenue Distt.-Raigarh (CG)

---Applicant**Versus**

State of Chhattisgarh, through, Station House Officer, Police Station-Dharamjaygarh, Civil & Revenue Distt.-Raigarh (CG)

---Non-applicant

For Applicant	:	Mr. Kaushal Dewangan, Advocate
For Non-applicant	:	Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****14/09/2015**

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.155/2015, registered at Police Station-Dharamjaygarh, District-Raigarh (C.G.), for the offence punishable under Sections 363 and 366 of the IPC.

2. Case of the prosecution, in brief, is that on 28.5.2015 the applicant is said to have abducted the minor complainant and taken her to Uttar Pradesh in order to compel her to marry with him and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. Referring the statement of the complainant under Section 164 of the CrPC he would further submit that the complainant has gone with the applicant voluntarily and no offence of Sections 354 and 376 of the IPC have been committed by the applicant. He would also submit that the applicant is in jail

since 24.7.2015 and therefore, he may be released on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

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; statement of the complainant under Section 164 of the CrPC and pre-trial detention of the applicant, 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 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/-

(Sanjay K. Agrawal)
JUDGE

B/-