

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1005 of 2016

Dinesh Kumar Sahu, S/o Shri Panchram Sahu, aged about 22 years, R/o Village Kurud, Durga Chowk, Bhilai, Tehsil and District Durg, Civil and Revenue District Durg (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Jamul, District Durg (C.G.)

---- Non-applicant

For Applicant:	Mr. Sanjay Agrawal, Advocate.
For Non-applicant:	Mr. Om P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

09/03/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.143/2015, registered at Police Station Jamul, Distt. Durg, for the offence punishable under Sections 363, 366 of the IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that on 6-1-2015, the applicant kidnapped minor complainant and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant had already married the complainant and in her statement recorded under Section 164 of the CrPC, she has not supported the case of the prosecution. There is delay of four days in lodging the FIR. The complainant is major. The applicant is in custody since 24-1-2016.
4. On the other hand, learned State counsel opposes the application.

5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, statement of the complainant recorded under Section 164 of the CrPC, evidence available regarding age and delay in lodging the FIR, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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 Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge