

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2864 of 2016

Sukhlal Das S/o Kulwant Das Panika Aged About 27 Years R/o
Barima School Para, P.S. Kaleshwarpur, Civil And Distt. Surguja
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Kamleshwarpur Distt. Surguja Chhattisgarh.

---- Respondent

For applicant - Shri Neeraj Mehta, Advocate.
For Respondent/State – Shri Sumit Jhanwar, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/06/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 35/2015 registered in Police Station Kamleshwarpur Distt. Surguja (C.G.) for offence punishable under sections 363, 366, 376 of IPC, 3(ii)(v) of the Prevention of Atrocities Act and Section 3 (A) 4 of POCSO Act, 2012.
2. As per the prosecution case a report was made by father of the prosecutrix that the applicant prior to 15 days of 21/07/2015 took away the prosecutrix who is minor from the lawful guardianship of her mother and father and thereafter kept her in captivity and committed sexual intercourse. Thereby offence is committed.
3. Learned counsel for the applicant submits that applicant has been falsely implicated in this case and the prosecutrix and father of the prosecutrix has been examined in this case and they have not supported the case of the prosecution. He relied on the statement of the victim and father of the victim and therefore submits that under the circumstances,

the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. I have perused the statement of the prosecutrix and her father. They have not supported the case of the prosecution. Considering the facts of the case, without any observation on merits, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE