

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3860 of 2016

Suraj Tandon @ Golu, S/o. Late Jagat Pal Tandon, Aged About 21 Years,
R/o. Jaistanbh Chowk Mandir Hasaud, Police Station Mandir Hasaud, Civil
& Revenue District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station
Mandir Hasaud, Civil & Revenue District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. G.M.Hasan, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01.08.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.331/2015 registered at Police Station- Mandir Hasaud, District Raipur (C.G.) for the offence punishable under Section 363, 366, 376 of Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that a missing report was made by the father of the victim that the minor girl has been enticed and took away by the applicant and on the pretext of marriage, the applicant committed sexual intercourse with her. Subsequently, the girl was recovered from the possession of the applicant and thereby the offence is committed.
3. Learned counsel for the applicant would submit that the prosecutrix, her father & mother have been examined in this case and they

have not supported the case of the prosecution, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the prosecutrix, who is 17 years of age, her father & mother wherein they have not supported the case of the prosecution. Considering such statement, without any observation on merit, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the 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.

Sd/-
(Goutam Bhaduri)
Judge