

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2975 of 2016**

Premdas @ Chhotelal Satnami S/o Chiatram Satnami Aged About 23 Years R/o Village Baikoni, Police Station Simga, District Baloda Bazar - Bhatapara Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Of Police Station Simga, District Baloda Bazar - Bhatapara Chhattisgarh.

---- Respondent

For applicant - Shri Sunil Sahu and Shri Anil Gulati, Advocate.
For Respondent/State – Shri Arvind Shukla, PL.

Hon'ble Shri Justice Goutam Bhaduri**Order****21/06/2016**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 25/2013 registered in Police Station Simga, District-Baloda Bazar-Bhatapara (C.G.) for offence punishable under section 363, 366, 376 of Indian Penal Code and Section 4 of Protection of Children from Sexual Offences Act.
2. As per the prosecution case on 24/01/2013 the applicant took away the victim from the lawful guardianship of her mother and father for which a report was made on 28/01/2013. Subsequently, the girl was recovered from the possession of the applicant on 6/01/2016. Thereby, the offence is committed as the victim was a minor.
3. Learned counsel for the applicant submits that the victim of her own had went away along with the applicant and they have performed marriage and out of the wedlock she was begotten one child and at the time of surrender on 6/01/2016 she was again pregnant and as such they came and surrendered and came back to her maternal house and no

allegation have been attributed to this applicant. Therefore, learned counsel submits that the applicant may be released on bail.

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

5. I have perused the statemen of the victim girl. It is stated that the victim has performed marriage with the applicant and out of the wedlock one child was born and while they were returning to the village they were caught by the police and it is also stated that she want to stay along with the applicant she being wife. Taking into such statement, 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