

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4114 of 2016

Anjor Singh Banjara, S/o Osram Banjara, Aged About 29 Years R/o Village Kushgarh, Thana Saliha, District Balodabazar - Bhatapara Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Gidhori, District Baloda Bazar - Bhatapara Chhattisgarh.

---- Respondent

For applicant - Shri Alok Dewangan, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

16/08/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.490/2015 as per challan registered in Police Station Gidhori, District Baloda Bazar-Bhatapara, (C.G.) for offence punishable under sections 363, 366 & 376 of Indian Penal Code, section 3(1)(xii) of the Schedule Caste & Schedule Tribe Prevention of Atrocities Act, 1989 and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

2. As per the prosecution case, on 2/05/2014 the applicant enticed away the minor girl from the lawful custody of her parents on the pretext of marriage and thereafter committed sexual intercourse.

3. Learned counsel for the applicant submits that the prosecutrix was major at the time of incident on 2/05/2014, she was aged about 18 years and married lady and she of her own had went alongwith the applicant. He submits that mother and father of the prosecutrix have been examined and they have not supported the case of the prosecution, therefore no

offence is made out and the applicant may be released on bail.

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

5. Perused the case diary, the documents also statement of Tiharo father and Jam Bai mother as also Sukhram Nayak. Considering such statement, without further observation on the 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