

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5547 of 2016

Pratap Paw S/o Murli Paw, Aged About 21 Years, R/o Village
Saripali, P.S. Pussor, District Raigarh Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh , Through The Station House Officer, Police
Station - A. J. A. K. Raigarh District Raigarh

---- Respondent

For applicant - Shri Manoj Jaiswal, Advocate.
For Respondent/State – Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/09/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.27/2013 registered in Police Station AJAK Raigarh, District-Raigarh (C.G.) for offence punishable under sections 363, 366, 376 of IPC & 4 of the Protection of Children from Sexual Offences Act, 2012 & 3(1) (12), 3 (2) (5) of SC & ST (Prevention of Atrocities Act).
2. As per the prosecution case, a report was made by father of the victim Radhelal Chouhan that on 29/09/2013 that his daughter was missing. Subsequently, his daughter was recovered on 12/02/2014 and on investigation it revealed that the applicant assisted one co-accused Arjun in enticing away the girl from the lawful custody of her parents and thereafter sexual intercourse was committed.
3. Learned counsel for the applicant submits that the main allegations have been attributed to other co-accused Arjun and only allegation against this applicant that he assisted the co-accused Arjun while girl was being taken away and no sexual overt act has been committed by this applicant, therefore the applicant may be released on bail.

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

5. Perused the statement of the victim. Considering the statement and the allegation against this applicant that he at certain point of time was in the company of the victim and the co-accused, 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.

Sd/-

(Goutam Bhaduri)

JUDGE