

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7420 of 2015

1. Reshma Siddiqui, W/o. Sageer Siddiqui, aged about 26 years,
2. Sageer Siddiqui, S/o. Najruddin @ Riyaj Siddiqui, aged about 27 years,

Applicants No.1 & 2 are resident of Bazarpara, Ward No.1, Wardraf Nagar, Police Station-Wadrafnagar, District Balrampur-Ramanujganj (C.G.)

3. Ramjan Ansari @ Ghuran, S/o. Jauwad Ansari, aged about 60 years, R/o. Anpara Saliya Road, Pachmipara Ward No.4, Chowki-Reksagar, District-Sonbhadra (U.P.)

----Applicants

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station – Trikunda, Balrampur-Ramanujganj (C.G.)

---- Respondent

For Applicant : Mr. D.N. Prajapati, Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06/01/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.28/2014, registered at Police Station – Trikunda, Balrampur, Ramanujganj (C.G.) for the offence punishable under Section 363, 366-A, 343, 370/34, 376(2) (g) of Indian Penal Code and Section 6 of Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that a missing report was made of a minor girl on 25.04.2014 by the father of the victim. Thereafter, when she was recovered, investigation was made and it was found that the applicants in connivance with each other took away the victim

to other city and sold her and during such course of travelling and transaction, she was subjected to forcefully rape.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case. He would further submit that in the FIR the applicants have not been named and there has been inordinate delay in lodging the FIR. He would further submit that the applicant No.1 is patient of heart disease and therefore, she may not be subjected to proper treatment in jail. He would further submit that the applicants are in jail since 28.02.2015 and 12.04.2015, therefore, he prays that they may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. I have perused the statement of the girl, who was admittedly minor of 14 years. In the statement of girl, it is alleged that the applicants have forcefully taken the girl while she was returning to her house and was forced to marry and was sold her and travelled to Delhi, Panipat and other city. Perusal of the statement would show that entire allegations have been attributed to these applicants. Considering the role played as the applicants have been specifically named in the statement by the prosecutrix, I am not inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge