

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.7766 of 2015**

1. Anand Kumar S/o Mantar Pasware aged about 19 years
 2. Neeraj Kumar S/o Ramdev aged about 20 years
- Both are R/o village Pandavpara Police Station Patna
Tahsil Baikunthpur Civil and Revenue District Korea
District Korea (C.G.)

---Applicants**Versus**

State of Chhattisgarh through Station House Officer
Police of Police Station Patna District Korea (C.G.)

---Non-applicant

For Applicants	:	Mr. Anil Gulati, Advocate
For Non-applicant	:	Mr. Suvigya Awasthy, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****01/02/2016**

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. 224/2015, registered at Police

Station Patna, District Korea (C.G.), for the offence punishable under Sections 363, 354 r/w 34 of I.P.C. and Section 18 of the Protection of Children from Sexual Offences Act.

2. Case of the prosecution, in brief, is that, on 01/12/2015, applicants kidnapped minor complainant and outraged her modesty and thereby committed aforesaid offence.

3. Learned counsel for the applicants would submit that applicants have not committed any offence and have been falsely implicated in the crime in question. He would further submit that minor complainant was having affair with applicant No.1 and on the pressure of her parents, she has lodged false report against the applicants. He would lastly submit that charge sheet has been filed and applicants are in jail since 03/12/2015, therefore, they may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

5. I have heard learned counsel appearing for the

parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicants in offence in question; age of the applicants; charge sheet has already been filed and pretrial detention of the applicants, this Court is of the opinion that present is the fit case, in which, applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Code of Criminal Procedure is allowed.

8. It is directed that applicants, namely, Anand Kumar and Neeraj Kumar shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE