

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8150 of 2016

- Raja Nayak S/o Vasudev Nayak Aged About 22 Years Caste Ghasi, R/o Chainpur, Police Station Gumla, Prakhand Dumri, District Gumla, Jharkhand. --- **Petitioner**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Kotwali, Jashpur, District Jashpur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. J.K. Saxena, Advocate
For the Respondent	:	Mr. Sunita jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21.12.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 200/2016 registered at P.S. Kotwali, Jashpur, Distt. Jashpur (C.G) for the offence punishable under Sections 363, 371, 370 & 344 of IPC.
2. As per the prosecution case, a report was made by one Darotiya on 15.09.2016 that her minor girl was missing from the house. Subsequently the girl came back on 21.09.2016 and on investigation it reveals that the present applicant along-with other accused tried to take away the girl to Delhi and on the way at Chainpur, the girl fled away and came back to her house.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and the offence was mainly committed by one Anita Tidke who had taken the

girl and they had stayed in the house of the present applicant for some time and the applicant has been falsely implicated in the case.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of victim girl under sections 161 & 164 Cr.P.C., wherein it is stated that the victim had stayed for 2-3 days in the house of the present applicant while they were going to Delhi.
6. Taking into consideration such statements of the girl and the nature of allegations levelled against this applicant and further considering the totality of facts and circumstances of the case especially the fact that the charge sheet has been filed and the applicant is in jail since 22.09.2016, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**