

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 65 of 2016

Rajkumar Yadav (wrongly mentioned the name and his title in title sheet) Rajkumar son of Shri Rambriksha, aged about 40 years, resident of Village Raghavpur, Police Station : Dhourpur, District : Sarguja (C.G). ... **Applicant**

Vs.

State of Chhattisgarh, through Station House Officer, Police Station Batouli, District Sarguja (C.G). ... **Respondent**

For the applicant	:	Mr. Vineet Pandey, Advocate.
For the Respondent	:	Mr. Ramakant Mishra, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.01.2016

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 93/2015 registered at Police station Batouli, District Sarguja (C.G) for the offences punishable under sections 363, 366, 368, 376, 34 of IPC & Section 3-A, 4, 5G of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, co-accused Kailash called the prosecutrix, who was minor and thereafter she fled away with Kailash and one Dinesh on the motorcycle and went to Ambikapur where she was taken to the house of this applicant Rajkumar who is uncle of the other co-accused Kailash and this applicant gave them shelter for two days and subsequently, the applicant forced the other co-accused Kailash and the victim girl to leave the house as otherwise they would have been apprehended by the police.
3. Learned counsel for the applicant submits that the main allegations are against co-accused Kailash and Dinesh and only

the allegation against this applicant is that he has accommodated the victim and Kailash for only two days, therefore, considering the degree of allegations, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents wherein it appears that the only allegation against this applicant is that he has given shelter to Kailash and Victim.
6. Considering the degree of such allegations against the applicant and looking to his period of detention as he is stated to be in jail since 27.09.2015, I am inclined to release him on bail.
7. Accordingly this bail petition is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.
8. Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**