

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.538 of 2016

Malik Ram @ Malik Das Banjara, aged about 20 years, S/o Roopdas Banjara, R/o Vill. Godkhamhi, P.S. Lormi, Civil District Bilaspur, Revenue District Mungeli (CG)

---- Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station Lormi, Civil District Bilaspur, Revenue District Mungeli (CG)

---- Non-applicant

For Applicant:	Mr. Pallav Mishra, Advocate.
For Non-applicant:	Mr. Suvigya Awasthi, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

11/02/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.457/2014, registered at Police Station Lormi, Distt. Mungeli, for the offence punishable under Sections 363, 366 read with Section 34 of the IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the applicant and four co-accused persons kidnapped the minor complainant in order to compel her to marry against her will and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case, main allegation of kidnap is against Pusau Satnami and the applicant is in jail since 2-1-2016. Charge-sheet has not been filed.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicant, his pretrial detention and main allegation of kidnap is against Pusau Satnami, I consider it a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge