

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.2098 of 2016**

Harishankar Chandra, S/o Gorelal, aged about 30 years, Resident of Village-Khaira, Police Station and Tahsil-Dabhra, Civil and Revenue District Janjgir-Champa (CG)

---Applicant

Versus

State of Chhattisgarh Through: the Station House Officer, Police Station Dabhra, Civil and Revenue District Janjgir-Champa (CG)

---Non-applicant

For Applicant	:	Mr. C.B.Kesharwani, Advocate
For Non-applicant	:	Mr. S. Awasthy, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

20/04/2016

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 applicant who has been arrested in connection with Crime No.181/2015, registered at Police Station-Dabhra, District-Janjgir-Champa (CG), for the offence punishable under Sections 363, 366/34 of the IPC and Section 12 of the POSCO Act.
2. Case of the prosecution, in brief, is that the applicant and co-accused allured the complainant on the pretext of marriage and abducted her from lawful guardianship of her parents.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would submit that co-accused Kheer Prasad Chandra has been released on bail by a coordinate Bench of this Court vide order dated 19.1.2016 in M.Cr.C.No.7782 of 2015 and case of the present applicant is similar to that of the co-accused, therefore, he may also be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence and the fact that bail was granted to the co-accused, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the applicant shall 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 trial Court, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-