

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3165 of 2016

- Vinod Patel Alias Moonu S/o Devi Prasad Patel Aged About 24 Years R/o Near At Khan Narsing Home Manendragarh P.S. Manendragarh, Distt. Korea Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh Through Incharge Police Station Manendragarh, Distt. Korea Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Usha Chandrakar, Advocate
For the Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.06.2016

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. 59/2016 registered at P.S. Manendragarh, Distt. Korea (C.G) for the offence punishable under Sections 363, 366, 323, 506 IPC & Section 18 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, a report was made on 17.02.2016 that the applicant took away the minor girl from the lawful custody of the mother on the pretext of marriage and kept her in his house. Subsequently a report was made by the mother and on such report the girl was recovered from the house of the applicant.
3. Learned counsel for the applicant submits that no sexual harassment or overt act was committed by the applicant and the girl was in love relations with the applicant. She further submits that charge sheet in this case has been filed and the

applicant is in jail since 18.02.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Considering the facts and circumstances of the case and degree of allegations levelled against the applicant and further taking into fact that the girl was aged about 17 years and was able to understand her well-being as also the fact that the charge sheet in this case has been filed and the applicant is stated to be in jail since 18.02.2016, I am inclined to release him on bail.
6. 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