

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3253 of 2016

Shyamlal Sahu S/o Chammanlal Sahu Aged About 19 Years R/o
Village Banarsi, Thana - Aarang, District - Raipur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Officer Police
Station - Tumgaon, District - Mahasamund Chhattisgarh

---- Respondent

For applicant - Shri Vikash Pradhan, Advocate.
For Respondent/State – Shri Arvind Shukla, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

5/07/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 77/2016 registered in Police Station Tumgaon, District Mahasamund (C.G.) for offence punishable under sections 363, 366 of Indian Penal Code and Section 8 (wrongly mention section 4 of case title) of Protection of Children from Sexual Offences Act, 2012.

2. As per the prosecution case on 5/05/2016 minor girl was taken away from the lawful guardianship of her mother and father by the applicant for which a report was made by father Kheduram Sahu on the same day and the girl was recovered from the possession of the applicant on 6/05/2016, thereby offence is committed.

3. Learned counsel for the applicant submits that the prosecutrix was aged about 17 years and was able to understand her well being. She herself went along with the applicant as they were in love relation and no further allegation have been made against the applicant, therefore

considering the statement, the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of the girl under Section 161 of Cr.P.C. wherein it is stated that she went along with the applicant as she was in love relation with the applicant. Considering the statement of the prosecutrix, without any observation on the merit, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE