

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3667 of 2016

1. Ashish Dadsena S/o Shri Derharam Dadsena, By Caste Kalar, Aged About 20 Years, R/o Village - Rikokala Thana - Rajadeori, Civil & Revenue Distt. - Baloda Bajar, Bhatapara Chhattisgarh

2. Abhishek Awasthi @ Lalu S/o Shri Chandrabhan Awasthi, Aged About 21 Years, R/o Village - Rikokala Thana - Rajadeori, Civil & Revenue Distt. - Baloda Bazar, Bhatapara Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Station - Rajadeori, Civil & Revenue Distt. Balodabajar - Bhatapara Chhattisgarh

---- Respondent

For applicants - Shri Sunil Sahu, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

15/07/2016

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.20/2016 registered in Police Station Rajadeori, Distt.-Balodabajar-Bhatapara, (C.G.) for offence punishable under sections 363, 366, 343, 376, 506/34 of Indian Penal Code and Section 17, 04, 06 of Protection of Children from Sexual Offences Act, 2012.

2. As per the prosecution case on 4/05/2015 one Rajkumar abducted the prosecutrix/victim who was a minor and she was kept in captivity in the shop and co-accused Rajkumar has committed forceful sexual intercourse with her and while she was kept in captivity in the shop these applicants have assisted the main accused Rajkumar to commit such offence and the victim was locked in the shop for four days.

3. Learned counsel for the applicants submits that the main allegation

of kidnapping the girl is on the co-accused Rajkumar and against these applicants the only allegation is that they have assisted the other co-accused Rajkumar to commit offence. Therefore, learned counsel submits that considering the role played by these applicants they may be released on bail.

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

5. Perused the statement of the victim under Section 161 and 164 of Cr.P.C. After considering the statement and the role played by these applicants, this court is inclined to release the applicants on bail.

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

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE