

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3553 of 2016

1. Ramratan Koshale S/o Dhalgan Koshale, Aged About 36 Years
2. Rajkumar Koshale S/o Radheshyam Koshale, Aged About 40 Years

Both R/o Village Daija, P.S. Takhatpur, Tahsil Takhatpur, District Bilaspur, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh S/o Through Police Station Takhatpur, District Bilaspur, Chhattisgarh.

---- Respondent

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

Hon'ble Shri Justice Goutam Bhaduri

Order

13/07/2016

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 205/2013 registered in Police Station Takhatpur, District-Bilaspur (C.G.) for offence punishable under sections 363, 363/34, 366, 376 of Indian Penal Code.
2. As per the prosecution case a report was made by one Ramavtar that on 1/07/2013 his minor daughter was taken away from the lawful guardianship of her mother and father by Rishi Koshley along with the present applicants and thereafter the girl was recovered, after recovery statement was recorded and it was revealed that Rishi has committed sexual intercourse and she being minor, thereby the offence is committed.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case and initially the statement was recorded of the victim on 22/03/2014 wherein name of the applicants were not stated, subsequently name of the applicants have been narrated that

they also aided Rishi Koshley to take away the girl. Therefore, learned counsel submits that the applicants may be released on bail.

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

5. Perused the statement of the victim on 22/03/2014 and 24/03/2014. After perusal of such statement and considering the role played by the applicants and the allegation only attributed to the applicants that they helped other co-accused Rishi Koshley to elope with the girl. Considering the degree of allegation, 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