

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3688 of 2016

Anil Kumar Rathiya S/o Khora Ram Rathiya, Aged About 22 Years,
R/o Village - Dindaula, Purani Basti, Police Station - Bhupdeopur,
District - Raigarh Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through - The Incharge, Out Post - Jobi,
Police Station - Kharsia, District - Raigarh Chhattisgarh

---- Respondent

For applicant - Shri Manoj Jaiswal, Advocate.
For Respondent/State – Shri Lav Sharma, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/07/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.238/2015 registered in Police Station Out Post-Jobi, Police Station-Kharsia, District Raigarh (C.G.) for offence punishable under sections 363, 366, 342 of Indian Penal Code.
2. As per the prosecution case the applicant took away the minor girl from the lawful guardianship of her mother and father on 18/05/2015 for which initially a missing report was lodged by father of the victim on 23/05/2015. Subsequently, from the possession of the applicant on 25/05/2015 the girl was recovered.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case as the girl was in love relation with the applicant and she herself has went along with the applicant and she stayed in the house of friend of the applicant and no sexual overt act has been done, therefore taking into such facts the applicant 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 perusal of the statement, also considering the degree of allegation and background of the case, 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