

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3916 of 2016

Dhaniram Korram, S/o. Chamaru Korram, Aged About 45 Years, R/o. Village Badgaon, P.S. Makari, Revenue & Civil District Kondagaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Makari, District Kondagaon, Chhattisgarh .

---- Respondent

For Applicant : Mr. P.K.Tulsyan, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08.08.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.14/2016 registered at Police Station- Makari, District Kondagaon (C.G.) for the offence punishable under Section 120(B), 343, 354, 366, 376, 450, 506 & 34 of Indian Penal Code.
2. As per the prosecution case, a written report was made on 01.05.2016 that the prosecutrix was forcefully taken by the present applicant to show the garden, at that time, the other co-accused also came and the prosecutrix was forcefully married to Somesh Korram and the applicant is the uncle; thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the main allegations have been attributed to Somesh and infact it is a case of love affairs but subsequently such report has been made and no

sexual overt act has been stated against this applicant, therefore, taking into such fact the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statement of the prosecutrix recorded under Section 161 & 164 of Cr.P.C. Taking into such statement and considering the nature of allegation against this applicant, without any observation of merit, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge