

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3968 of 2016

Bare Lal S/o Late Chhatar Sai, Aged About 40 Years, R/o Village
Kunjnagar, Police Station Jaingar, District Surajpur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Of
Police Station - Patna, District Korea Chhattisgarh.

---- Respondent

For applicant - Shri Anil Gulati, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

1/08/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.84/2016 registered in Police Station Patna, District Korea (C.G.) for offence punishable under sections 363, 366, 376, 368 of Indian Penal Code and section 3(1)(12) of Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989 and Section 8, 12, 19, 21 of Protection of Children from Sexual Offences Act.
2. As per the prosecution case, a report was made by father of the victim Anand Sai that her daughter was missing from 29/04/2016. Subsequently, the girl was recovered on 27/05/2016 at the house of the applicant and on investigation it was revealed that co-accused Karnal Panika had taken minor girl and enticed away on the pretext of marriage and thereafter committed sexual intercourse.
3. Learned counsel for the applicant submits that the main allegation is against Karnal Panika and the applicant is the uncle of the other co-accused wherein girl stayed for certain point of time and he has given shelter, therefore 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 wherein it is stated that she went to the different places along with other co-accused Karnal Panika and she stayed for certain time in the house of the applicant. Considering the degree of allegation against this applicant and also for the fact that applicant is in jail since 10/06/2016, 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