

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4265 of 2016

- Dilharan S/o Angad Prasad Yadav Aged About 24 Years R/o Village Lamna, P.S. Bango, District Korba Chhattisgarh

---- Applicant (In Jail)

Versus

- State of Chhattisgarh Through - District Magistrate Korba, District Korba Chhattisgarh

---- Non-applicant

For Applicant : Shri Vikash Pandey, Advocate

For Respondent/State : Shri Anant Bajpai, PL

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.08.2016

- 1) This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 15 of 2016, registered at Police Chauki- Korbi, Police Station- Pasan, district- Korba (CG) for the offences punishable under Sections 363, 366 read with Section 34 of the IPC.
- 2) Case of the prosecution, in brief, is that on 03.03.2016 the present applicant along with one Narendra went to the house of the victims- Geeta and Urmila and asked the girls to accompany them. Thereafter, Urmila went with the present applicant, whereas, Narendra absconded with Geeta. Urmila was recovered from the house of relatives.
- 3) Learned counsel for the applicant submits that present applicant has been falsely implicated in the case and it is evident from the statement of Urmila, one of the two girls. He further submits that Geeta and Narendra were eloped and the present applicant has not committed any offence, therefore, pleads for release of the applicant.

- 4) Per contra, learned State Counsel opposes the prayer for grant of regular bail to the applicant.
- 5) Heard learned counsel for the parties and perused the record of the lower Court and statement of one of the victims (Urmila) herein the petition.
- 6) Considering the statement of Urmila, nature of allegation levelled against the applicant, further without any observation on merits of the case at this stage, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
- 7) Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)
JUDGE