

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4672 of 2016

Shankar Ram S/o Kailash Ram Kanwar Aged About 22 Years,
Resident of Amadpur, Police Station Kusmi, District Balrampur,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Kusmi, District
Balrampur, Chhattisgarh.

---- Respondent

For applicant - Shri Sunil Tripathi, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/08/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.14/2016 registered in Police Station Kusmi, District-Balrampur (C.G.) for offence punishable under section 363, 376 of Indian Penal Code and Section 7 and 8 of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, a report was made by father of the victim that the applicant took away the minor girl from the lawful guardianship of her parents and has committed sexual intercourse and the girl was recovered from the possession of the applicant on 27/03/2016. Thereby, offence is committed.
3. Learned counsel for the applicant submits that the applicant and the victim/girl were in love relation and the marriage proposal was turned out by father of the girl and thereafter girl herself went alongwith the applicant and after girl was recovered she went to the house of the father, she again joined company of the applicant, therefore no offence has been committed by the applicant. Therefore, learned counsel submits that 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/girl. She stated that she herself has joined company of the applicant as marriage was refused by her father. Considering the statement, without further observation in the 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.

Sd/-

(Goutam Bhaduri)

JUDGE