

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4742 of 2016

Panna Yadu S/o Meghnath Yadu, Aged About 28 Years, R/o Village
- Khunteri, Thana - Somni, District . Rajnandgaon Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Thana - Somni, Distt. -
Rajnandgaon Chhattisgarh

---- Respondent

For applicant - Shri Samir Singh, Advocate.

For Respondent/State – Ms. Shobha Kashyap, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

22/08/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.105/2016 registered in Police Station Somni, Distt.-Rajnandgaon (C.G.) for offence punishable under sections 363, 376 of Indian Penal Code and sections 8, 17 & 18 of Protection of Children from Sexual Offences Act.

2. As per the prosecution case, a report was made by mother of the prosecutrix that the girl was missing. Subsequently, the girl was found in the house of one Amit and after investigation it was found that the said Amit enticed the minor girl on the pretext of marriage and thereafter committed sexual intercourse with the girl and the applicant accompanied the said other accused and dropped. While the girl was enticed away in the motorcycle, the applicant was also a pillion rider of the said motorcycle. Thereby, the offence has been committed.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case, the main allegations have been attributed to Amit and only allegation against this applicant that while girl

went alongwith with Amit he was also co-passenger in the motorcycle. Therefore, learned counsel submits that considering the allegation, the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of the girl under Section 161 of Cr.P.C. Taking into nature of allegation attributed to this applicant that he was a rider of the motorcycle while the girl went away alongwith Amit and also considering the role played by the applicant, 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