

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5287 of 2016

Shankar Das S/o Ghurdas, Aged About 18 Years R/o Mangari,
Junapara, P. S. Sitapur District Surguja Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Sitapur,
District Surguja Chhattisgarh.

---- Respondent

For applicant - Shri C. Jayant K. Rao, Advocate.
For Respondent/State – Shri U.K.S. Chandel, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

2/11/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.156/2011 registered in Police Station Sitapur, Dist. Surguja for offence punishable under section 363, 366 of Indian Penal Code.
2. As per the prosecution case, a report was made by father of the victim/girl on 2/06/2011 that the applicant enticed away the minor girl from the possession and thereafter fled away. Subsequently, the applicant was arrested on 21/04/2016. Thereby, offence has been committed under Section 363 and 366 of IPC.
3. Learned counsel for the applicant submits that the victim/girl has given affidavit that she of her own has went alongwith the applicant and she was already major on the date and they have performed marriage and out of the wedlock having the issue, therefore no offence has been made out and the applicant may be released on bail.
4. Learned State counsel was directed to verify the affidavit which was filed by the victim girl. Learned State counsel submits that no positive or

negative report has been given by the police authorities and complete it is ambiguous report has been made.

5. Perused the annexure A-3 which is affidavit of the victim/girl wherein she states that she has performed married with the applicant. Taking into facts and circumstances 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