

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 5420 of 2016**

- Komal Jaiswal S/o Bisahulal Jaiswal Aged About 19 Years R/o Village Ghoghari, Police Station Dabhra, Civil & Revenue District Janjgir Champa, Chhattisgarh. --- **Petitioner**

**Versus**

- State of Chhattisgarh through Station House Officer, Police Station Dabhra, District Janjgir Champa, Chhattisgarh. --- **Respondent**

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| For the applicant  | : | Mr. C. P. Lahrey, Advocate      |
| For the Respondent | : | Mr. Neeraj Jain, Govt. Advocate |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**14.09.2016**

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 165/2016 registered at P.S. Dabhra, Distt. Janjgir Champa (C.G) for the offence punishable under Sections 363, 366, 376 & Sections 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, on 10.05.2016 the victim was enticed away by the present applicant and was left in the company of the other accused Rasiya Jaiswal who on the pretext of marriage has committed forcible sexual intercourse with the victim. Subsequently the girl was recovered from the possession of other co-accused Rasiya Jaiswal on 03.06.2016.
3. Learned counsel for the applicant submits that only the allegation against the applicant is that he took the victim from his house to the Company of Rasiya Jaiswal and no allegations of sexual assault has been attributed to the

present applicant, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of victim wherein the allegations against this applicant is that he left the victim in the Company of other co-accused Rasiya Jaiswal.
6. Considering the nature of allegations leveled against this applicant and the totality of the facts and circumstances of this case, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a 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.

C.c. as per rules.

Sd/-  
**GOUTAM BHADURI**  
**JUDGE**