

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5601 of 2016

- Shaukhi Lal Chauhan S/o Peela Dau Aged About 26 Years R/o Ramnagar, Korba, Distt. Korba Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Thana Kotwali, Distt. Korba, Chhattisgarh (Thana Name Is Wrongly Mentioned As Urga).
--- **Respondent**

For the applicant	:	Mr. Sameer Singh, Advocate
For the Respondent	:	Mr. Neeraj Sharma, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.09.2016

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. 215/2016 registered at P.S. Kotwali, Distt. Korba (C.G) for the offence punishable under Sections 363 & 366 of IPC.
2. As per the prosecution case, on 11.05.2016 a report was made by Dileshwar Say that he and his wife had gone for work and when he came back, his minor daughter was found missing. Subsequently the girl was recovered from Baradwar Bus-stand and on enquiry it was revealed that the present applicant has abducted the girl.
3. Learned counsel for the applicant would submit that in fact the applicant is brother-in-law of the victim and the girl went alongwith the applicant and her sister and in the statement of the victim, no sexual overt act has been attributed to the applicant, therefore, false allegations have been levelled against him. He further submits that the charge sheet in this case has been filed and the applicant is in jail since

21.05.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the statement of the girl.
6. Considering the statement of the girl and further looking to the degree of allegations levelled against the applicant as also the fact that charge sheet has been filed; no further investigation is necessary and the applicant is stated to be in jail since 21.05.2016, 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**