NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6024 of 2016

1. Deepak @ Dinesh Sonkar, S/o. Late Doodhnath Sonkar, aged about 32 years, R/o. Village- Baranw, Police Station – Karchhana, Tahsil Karchhana, District – Allahabad (U.P.).

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Out Post – Pinkapar, Police Station – Devri, District – Balod (C.G.)

---- Respondent

For Applicant : Mr. B.P. Singh, Advocate

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03/10/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.76/2016, registered at Police Station – Devri, District – Balod (C.G.) for the offence punishable under Section 370 (4), 506 of Indian Penal Code.

2. Case of the prosecution, in brief, is that a report was made by the victim on 09.07.2016 that prior to 8 months, the applicant took her away along with other girls, her sisters with allurement that she will learn dancing and singing and instead she was subjected to work as domestic help. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case and the girl was taken with the consent of the mother and father and she was not subjected with any criminal act and she was along with her sister and she was

made to work as a domestic help and no allegations were attributed to this applicant. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 18.07.2016, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard learned counsel appearing for the parties.

6. Perused the statement of the girl recorded under Section 161 and 164 of Cr.P.C.. Considering the statement made under Section 164 of Cr.P.C., wherein no allegation of force or inducement has been alleged, without any further observation on merits, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Balram