

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6144 of 2016

Baldu Sahu, S/o. Shri Mansaram, Aged About 40 Years, Gram Dargaon,
Thana Lohara, District Kabirdham, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Lohara, District Kabirdham,
Chhattisgarh.

---- Respondent

For Applicant : Mr. Anurag Dayal Shrivastava, Advocate

For Respondent : Mr. Neeraj Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05.10.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.172/2016 registered at Police Station- Lohara, District Kabirdham (C.G.) for the offence punishable under Section 363, 366, 376 of Indian Penal Code, 1860 and 3 & 4 of Protection of Children from Sexual Violence Act, 2012.
2. As per the prosecution case, a report was made by the father of the victim Bharat Lal Sahu on 12.08.2016 against Vikash Sahu that her daughter, who is minor, has been enticed away from the lawful custody of the parents. Subsequently, the girl was recovered from the possession of Vikash Sahu on 27.08.2016 and during investigation, it revealed that at certain point of time, the applicant also assisted the said Vikash Sahu to commit the offence.
3. Learned counsel for the applicant would submit that the main allegations are attributed to Vikash Sahu and it is only alleged that this applicant had given shelter at some point of time to them as he

was relative of Vikash Sahu. He further submits that no allegation of sexual assault has been attributed to this applicant, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and statement of the victim. Considering the facts and circumstances of the case and the nature of allegation against the present applicant, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the 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.

Sd/-
(Goutam Bhaduri)
Judge