

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6309 of 2016

- Sonu Rajput @ Pradeep S/o Chandra Sekhar Alias Bhoot Rajput Aged About 22 Years R/o Sahaspur Lohara, Police Station Sahaspur Lohara, District Kabirdham (Kawardha) Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through the Police Station Sahaspur Lohara, District Kabirdham (Kawardha) Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Sandeep Shrivastava, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.10.2016

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. 161/2016 registered at P.S. Sahaspur-Lohara, Distt. Kabirdham (C.G) for the offence punishable under Sections 363, 366A, 342, 354, 354-A (1)(2) of the IPC & Sections 7 & 8 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, a report was made by Trilochand Yadav, grand father of the girl that the victim was found missing. Subsequently she came back on 25.07.2016 and thereafter she was brought to the police station wherein it was revealed that the applicant has enticed away the minor girl and she was kept in captivity in the house of the applicant and when the family members tried to reach her, the applicant fled away whereby the offence is committed.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and it is not a case that from the possession of the applicant the girl was recovered and only on the false pretext the applicant has been inculpated. He further submits that the charge sheet has been filed and the applicant is in jail since 29.07.2016, therefore he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of the victim wherein no sexual overt-act has been attributed to the present applicant.
6. Considering such statement of the prosecutrix and the fact that the charge sheet in this case has been filed and no further investigation is necessary, without any further observation, 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**