

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.No. 6599 of 2016

1. Nandkishor Dansena, son of Panchram Dansena, aged about 28 years
2. Panchram Dansena, son of Hariram Dansena, aged about 58 years

Both residents of village Dokarbuda, Thana Punjipathra, Civil & Revenue Distt. Raigarh (C.G).
... **Applicants**

Vs.

State of Chhattisgarh, through Police Thana Chakradhar Nagar, Distt. Raigarh (C.G).
... **Respondent**

For the applicant	:	Mr. Sanjay Agrawal, Advocate
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07.11.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 278/2016 registered at P.S. Chakradharnagar, Distt. Raigarh (C.G) for the offence punishable under Sections 363, 365, 368, 343, 193, 511, 120-B of IPC.
2. As per the prosecution case, on 01.09.2016 a report was made by one Murari Sharma that on 29.08.2016 when his daughter went to Court to give deposition in respect of an earlier report made by the girl against one Dev Kumar u/s 376 IPC, she did not return. Subsequently it was found that the girl was kidnapped by the present applicants alongwith co-accused Laxmi, thereby the offence is committed.
3. Learned counsel for the applicants would submit that the applicants are brother and father of other accused Dev

Kumar and they have been falsely implicated because of the fact that they are father and brother of the other accused Dev Kumar with whom the girl was in love relations. He further submits that reading of 161 statement would show that the girl was compelled to leave the house by her father, therefore, she had to take shelter in the house of other accused and the applicants have not committed any offence.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of the girl u/s 161 Cr.P.C., wherein it is stated that she was thrown out of the house of the father and she stayed in the house of accused. Therefore, taking into such role played by the applicants and the nature of allegations levelled against them, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**