

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7197 of 2016

1. Kishan Kumar Bhatt, S/o. Jagdish Bhatt, aged about 19 years, R/o. Belgari Basti, Balconagar, Korba, Police Station – Balco, Tahsil – Korba, Civil and Revenue District – Korba (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, Through : Station House Officer, Police Station – Balconagar, District – Korba (C.G.)

---- Respondent

For Applicant	: Mr. Dharmesh Shrivastava, Advocate
For Respondent/State	: Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18/11/2016

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.162/2016, registered at Police Station – Balco, District – Korba (C.G.) for the offence punishable under Section 363, 366, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by Deendayal, the father of the prosecutrix on 11.06.2016 that his daughter is missing and the present applicant has enticed away the girl on the pretext of marriage. Thereby committed the crime.
3. Learned counsel for the applicant submits that the girl was in love relation with the applicant and she herself has went along with the applicant and the time of incident is 3.30 in the afternoon and no offence has been committed by the present applicant. It is further

submitted that charge-sheet in this case has been filed and the applicant is in jail since 13.06.2016, therefore, 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 case diary and the statement of the victim. Taking into the nature of allegation and the fact that charge-sheet in this case has been filed and further taking into the statement of the father and the girl, 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