

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7507 of 2016

Amaresh Das, D/o. Bhokadas, Aged About 27 Years, W/o. Mohandar, R/o. Village Khodari, Police Station Udaypur, Revenue & Civil District Surguja, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Lakhanpur, Revenue & Civil District Surguja, Chhattisgarh

---- Respondent

For Applicant : Mr. S.D.Singh, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/12/2016

1. This is the second 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.151/2016 registered at Police Station- Lakhanpur, District Surguja (C.G.) for the offence punishable under Sections 363, 370, 342, 34 of Indian Penal Code. The first bail application was dismissed for want of prosecution on 08.11.2016.
2. Case of the prosecution, in brief, is that a report was made by the father of the victim Dharampal that the girl was missing from 21.08.2016. Subsequently, the girl was recovered on 09.09.2016 and it was revealed that the girl was allured by Parmeshwari, one of her friend, and they were to go to Delhi and initially she stayed at Ambikapur Railway Station and subsequently she came back to Village Khodri wherein the house of the present applicant is

situated and she stayed there for three days. Thereby, the offence has been committed.

3. Learned counsel for the applicant would submit that the present applicant has not committed any offence and only for few days, she has given shelter to the girl/victim. He further submits that the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statement of the victim. Considering the facts and circumstances of the case and the fact that the charge sheet has been filed and no further investigation is necessary and further taking into the statement of the victim, without any observation on merit, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge