

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7806 of 2016

Dinesh Sahu S/o Rajeshwar Sahu Aged About 21 Years R/o
Nawabanda Chowk, Pahanda, Police Station Amleshwar, Tahsil-
Patan, District Durg, Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Amleshwar, District Durg, Chhattisgarh.

---- Respondent

For applicant - Shri B.P. Singh, Advocate.

For Respondent/State – Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

8/12/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.100/2016 registered in Police Station Amleshwar, District Durg (CG) for offence punishable under sections 363, 366 of Indian Penal Code.
2. As per the prosecution case, a report was made by father of the victim on 22/08/2016 that the girl is missing. Subsequently, she was recovered on 26/08/2016 and it was found that the applicant has enticed away the minor girl from the lawful custody of her parents on the pretext of marriage. Thereby, offence has been committed.
3. Learned counsel for the applicant submits that the victim/girl herself went along with the applicant as she was being abused by the father. Consequently, she left of her own which would be evident from the statement made under Section 164 of Cr.P.C. and therefore no offence has been committed and the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the girl under Section 164 of Cr.P.C. wherein she stated that she of her own had went along with the applicant.

Considering such statement without further observation on the merits, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE