

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 6271 OF 2017

Rizwan S/o Munna Ansari, aged about 18 years, R/o Purana Bazar, Surajpur, Ward No.7, Police Station and Tehsil Surajpur, District Surajpur (CG).

... Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station Surajpur (wrongly mentioned as PS AJK) District Surajpur (CG).

... Respondent

For Applicant	:	Shri Anil Gulati, Advocate.
For Respondent-State	:	Shri Gary Mukhopadhyay, Dy. GA.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

28/11/2017

1. This is the first bail application seeking for grant of bail to the Applicant who is in jail since 23.07.2017 in connection with Crime No. 285 of 2017 registered at Police Station Surajpur, Distt.Surajpur for the offence punishable under Sections 363 and 366/34 IPC.
2. As per prosecution case, the applicant in connivance with other co-accused persons is said to have abducted the prosecutrix, a minor girl, and have kept her in illegal confinement for a considerable period of time.
3. Learned Counsel for the applicant submits that two co-accused persons in the instant case namely Kuldeep Sahu and Vijay Kasera have already been granted bail by the co-ordinate bench of this court on 21.09.2017 in M.Cr.C. Nos.5710 and 5649 of 2017. Similarly, another co-accused Vishal Gupta has got bail from the trial court itself. Further, the prosecutrix has categorically deposed in her statement that she has voluntarily gone with the applicants and that

she was having an affair with the co-accused Kuldeep Sahu, and thus, prayed that the present applicant may also be granted bail on the ground of parity.

4. This submission of the applicant is not opposed by the State counsel on perusal of orders passed by the co-ordinate Bench as well as material available in the case diary.
5. Without commenting on merits, considering the totality of the facts and circumstances of the case particularly taking note of the fact that other co-accused persons have already been granted bail by the co-ordinate Bench of this Court, this Court is of the opinion that the present is a fit case where the Applicant can be enlarged on bail.
6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

**Sd/-
(P. Sam Koshy)
Judge**