

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 521 of 2017

Chain Singh Sethiya, S/o. Beniram Sethiya, Aged About 22 Years, R/o. Village Muli, Police Chowki Bakawand, Civil & Revenue District Baster, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Chowki Baster, Police Station Kotwali, District Baster, Chhattisgarh.

---- Respondent

For Applicant : Mr. Punit Ruparel, Advocate

For Respondent : Mr. Avinash K. Mishra, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order On Board

21/02/2017

1. This is the first 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.421/2016 registered at Police Chowki Baster, Police Station Kotwali, District Bastar (C.G.) for the offence punishable under Sections 343, 366, 354, 109 of Indian Penal Code.
2. As per prosecution case, the applicant forcibly took away the prosecutrix from the lawful possession of her parents, thereby the offence has been committed. However, on perusal of the record, it would reflect that marriage has been performed between the parties.
3. Taking into consideration the facts and circumstances of the case, particularly the documents showing the fact that the marriage ceremony has taken place between the prosecutrix and the present applicant and further it is a case where according to the

applicant, the marriage has also been performed between the parties as also taking into consideration the fact that the prosecutrix is a major lady, this Court is of the view that strong case is made out for grant of bail.

4. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed and 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 his appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge