

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1008 of 2017

- Mohnish @ Manish S/o Virendra Nag Aged About 18 Years Residing At Village Bade Marenga Police Station Parpa, Revenue And Civil District Bastar, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through the Police Station Papra, District Bastar, Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Pravin Tulsyan, Advocate
For the Respondent	:	Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01.03.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 173/2016 registered at P.S. Parpa, Distt. Bastar (C.G) for the offence punishable under Sections 363, 366(A) & 109 of IPC.
2. As per the prosecution case, the applicant along-with other accused enticed and took away the minor girl from the lawful guardianship of her parents; thereafter the girl was handed over to the custody of accused Ajay and on the pretext marriage they roamed different places. Initially the applicant had also demanded money from the victim and due to nonpayment thereof, she was abducted, thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated; the victim was in love relations with Ajay and she herself accompanied with Ajay and visited different places for two days and she has not

complained anything and the statement of the victim would show that the applicant and victim were travelling on different bike and therefore the story projected by the prosecution is completely improbable and false allegations have been made.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of the victim which shows that initially she travelled with a girl i.e., Neha and then came into contact with the present applicant and thereafter she was in the company of Ajay and travelled with him from place to place.
6. Taking into such facts and circumstances of the case as also the fact that the charge sheet has been filed and the applicant is in jail since 04.01.2017, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court for his appearance.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**