

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC (A) No. 195 of 2017**

Vicky Maitra S/o Late Shri N.K. Maitra, Aged About 28 Years R/o House No. 82/1, Maitri Kunj- Rishali, Bhilai, Police Station Newai, District- Durg, Chhattisgarh.

-----Applicant

Versus

State Of Chhattisgarh Through: Station House Officer, Police Of Police Station- Bhilai Nagar, Sector- 6, District - Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Shri BP Singh, Advocate.
For Respondent	:	Shri Ashok Swarnakar, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

19/05/2017

1. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.189 of 2009 registered at Police Station Sector-6, Bhilai Nagar, Distt. Durg, for the offence punishable under Sections 363 and 366 of IPC.
2. The allegation against the applicant as per prosecution is that, the applicant is said to have abducted the prosecutrix way back on 16.03.2009 when the prosecutrix was a minor.
3. Learned counsel appearing for the applicant submits that it is not a case where the abduction has been made when the prosecutrix was, rather it is a case that the applicant was working else where and the prosecutrix also. The prosecutrix has accompanied the applicant and later stage after she has attained the age of majority, they have married and are staying together. They have also children borne from the said relationship.
4. Counsel for the State on due verification of the statement of the prosecutrix does not dispute the fact that the applicant and the prosecutrix got married after attaining the age of majority and are

staying together. It is also admitted in the statement of the prosecutrix that she has voluntarily gone along with the applicant.

5. Having heard learned counsel for the parties and taking into consideration the total facts and circumstances of the case, more particularly taking note of the fact that the applicant and the prosecutrix got married and are staying together, this court is of the view that it is a fit case to grant anticipatory bail to the applicant.
6. Accordingly, the application is allowed. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:
 1. That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
 2. The accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 3. The accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 4. The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
7. Certified copy, as per rules.

Sd/-
(P. Sam Koshy)
Judge