

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1873 of 2017**

1. Prahlad Verma S/o. Rajendra Verm, aged about 24 years
 2. Bisahu Nishad son of Matwari Nishad, aged about 24 years
- Both the, R/o village Khairkhut, Thana Dharsiwa, Distt. Raipur (CG).

---- Applicants**Versus**

State Of Chhattisgarh through Police Station Dharsiwa, Distt. Raipur
(CG)

---- Respondent

For applicant	Mr. K.K. Dewangan, Adv.
For Respondent/State	Mr. Sumit Jhanwar, PL

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****04/04/2017**

1. Heard finally.
2. The applicants have preferred this application for grant of bail as they are arrested on 20-1-2017 in connection with Crime No.26/2017 registered in PS Dharsiwa, Distt. Raipur for offence punishable under Sections 366, 506, 365, 34 of the IPC. Charge sheet has been filed and the matter is pending before the Court of Additional Sessions Judge (FTC), Raipur bearing ST No. 62/2017.
3. Learned counsel for the applicants submits that charges are yet to be framed. Co-accused Babulal Nishad was granted bail by the coordinate bench vide order dated 7-3-2017 in MCRC No. 1303/2017. He further submits that the applicants have not committed any bad act with the prosecutrix. As per her statement under Section 164 of the Cr.P.C., next day morning, A-1 had taken her to the police station Dharsiwa and in the night the applicants had taken the prosecutrix to the house of one Loknath Verma, near relative and the prosecutrix slept along with wife of said Loknath i.e. Smt. Kunti Verma. Case of other applicant is identical. Therefore, applicants may be enlarged on

bail.

4. Per contra, learned counsel for the State opposed the arguments advanced on behalf of the applicants.
5. Perused the case diary.
6. At about 12.00 night when the husband of the prosecutrix was not in the home, both the applicants reached to the house of the prosecutrix and after threatening to kill the husband and children, they took the prosecutrix, the married lady, in a motorcycle. In another motorcycle, one co-accused Babulal Nishad was there and the trio took the prosecutrix for illegal demand of illicit marriage after giving threat. Though the prosecutrix was allowed to sleep along with wife of the Loknath, a near relative of A-1 but looking to the manner the present incident is committed coupled with other facts, evidence adduced during investigation, seriousness of the offence, I am not inclined to grant bail to the applicants.
7. The application is rejected.

Sd/-
(Chandra Bhushan Bajpai)
Judge