

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 2811 of 2017

- Suraj Tandon S/o Mahavir Tandon: Aged About 19 Years, R/o Village Minoudi; Police Station- Sarsiwa, District- Balodabazar - Bhatapara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Sarsiwa, District- Balodabazar- Bhatapara, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Sanjeev Das, Advocate.

For Non-applicant/State – Shri Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri
Order on Board

15-06-2017

1. This is first bail application filed under Section 439 of the Cr.P.C. seeking grant of bail to the applicant in connection with Crime No.32/2017 registered at Police Station Sarsiwa, District- Balodabazar- Bhatapara, C.G. for the offence punishable under 363, 366, 376 of the IPC and Section 17, 18 and 4 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, a report was made by one Suritram Dhrihahre that his grand-daughter has been enticed away by the present applicant on the pretext of marriage. When the girl was recovered from possession of the applicant on investigation it was found that she was subjected to rape on the pretext of marriage.
3. Learned counsel for the applicant submits that the girl herself went along with the applicant; they were in love relation. Her statement under Section 164 of the Cr.P.C. would reveal that she was in love relation and performed marriage with the applicant.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the statement recorded under Section 164 of the Cr.P.C. which shows that the victim has performed marriage with the present applicant, considering the same and the facts that charge sheet has been filed, the applicant is in jail since 15-02-2017, without further observation this Court is

inclined to release the applicant on bail.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. 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 solvent surety in the like sum to the satisfaction of the concerned trial court for his appearance before the said court as and when directed.

8. C.C. as per rules.

Sd/-
(Goutam Bhaduri)
Vacation Judge