

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3450 of 2017

- Anil @ Annu S/o Narayan Sahu Aged About 28 Years R/o Village Devkar, Police Station Devkar, Saja, District Bemetara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Out Post Devkar Saja, District Bemetara, Chhattisgarh.

---- Respondent

For Applicant	:	Shri U.KS.Chandel, Advocate.
For Respondents/State	:	Shri Surya Kant Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14/06/2017

1. The applicant is in jail since 14.03.2017 in connection with crime No. 128/2017 registered at Police Outpost-Devkar, Saja, Dist. Bemetara (C.G.) for commission of offence punishable under Sections 354A, 366, 511/34 of the I.P.C.
2. The allegation against the present applicant is that the present applicant, in connivance with the co-accused persons, is said to have tried to forcibly take away the victim girl along with him while she has gone to attend nature call and upon an alarm being raised by her cousin sister, the victim girl was rescued and a report was lodged.
3. Learned counsel for the applicant submits that the statement of victim recorded at different intervals, is not consistent and each time she made different story. He refers to the contents of the F.I.R., statements under Section 161 & 164 of the Cr.P.C. wherein the victim makes an entirely different story on each occasion. Further,

from the proceedings, it also reflected that victim is 20 years old. He further submits that co-accused has been enlarged on bail by the trial Court itself.

4. On the other hand, the learned State Counsel, vehemently opposes the bail application.
5. Considering the total facts and circumstances of the case, particularly, taking into consideration the different and contradictory statements of the victim, this Court is of the opinion that it is a fit case for grant of bail to the applicant.
6. Accordingly, the present bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that in case if the applicant furnishes personal bond for a sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned trial Court, then he shall be released on bail. 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.

Sd/-

(P. Sam Koshy)
V. Judge